



CRL MP(MD) No.3331 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Eighteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.3331 of 2024

IN

CRL OP(MD) No.15506 of 2023

1 MATHIYAZHAGAN

2 SACHITHANANTHAVALLI

... PETITIONERS/PETITIONERS

Vs

THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION,
THANJAVUR DISTRICT.
CR.NO.30/2017

... RESPONDENT/RESPONDENT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Extent the time granted in Crl.O.P.(MD).No.15506/2023 dated 04.10.2023 to the petitioners for payment of cost before the Judicial Magistrate No.I Thanjavur.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.KARUNANITHI, Advocate for the petitioner and of Mr.P.KOTTAICHAMY, Government Advocate(Crl.side) on behalf of the Respondent, the Court made the following order:-

The petitioner/Accused in C.C.No.52 of 2018 before the learned Judicial



CRL MP(MD) No.3331 of 2024

Magistrate No.I, Thanjavur has approached this Court for extension of time for deposit of the cost amount as directed by this Court in Crl.O.P.(MD)No.15506 of 2023.

2.The petitioner has failed to cross examine the witnesses P.W.1 to P.W.4 when they appeared for evidence. He filed an application to recall P.W.1 to P.W.4 in Crl.M.P.No.1314 of 2023. The same was dismissed by the trial Court on 07.07.2023. As against which, the petitioner has filed an application before this Court in Crl.O.P. (MD)No.15506 of 2023. This Court by order dated 04.10.2023 allowed the application with a direction to the petitioner to pay a sum of Rs.5,000/- each to the witnesses, namely, P.W.1 to P.W.4 to the credit of C.C.No.52 of 2018 before the trial Court within a period of 15 days from the date of receipt of a copy of that order. The petitioner has failed to pay that amount. Hence, the petitioner has approached this Court for extension of time by expressing his difficulty that he could not make the payment as directed by this Court within 15 days. Considering the reasons stated in the petition and the assurance given by the petitioner's counsel, this Court has passed an order on 03.04.2024, permitting the petitioner to pay the amount of Rs.5,000/- on or before 04.04.2024. Now, the petitioner has also paid the amount on 04.04.2024.



CRL MP(MD) No.3331 of 2024

WEB COPY

3. In view of the same, this petition is closed with a direction to the petitioner to co-operate for the trial and to cross examine the witnesses when they are present for the next hearing (i.e.) on 24.04.2024. The trial Court shall also provide an opportunity to cross examine the witnesses P.W.1 to P.W.4 for one time. In the event, if the petitioner fails to cross examine, the trial Court is at liberty to proceed and pass orders with the available materials.

sd/-
18/04/2024

/ TRUE COPY /

/04/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

1 THE JUDICIAL MAGISTRATE NO.I
THANJAVUR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
TOWN EAST POLICE STATION, THANJAVUR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



WEB COPY



CRL MP(MD) No.3331 of 2024

ORDER
IN
CRL MP(MD) No.3331 of 2024
IN
CRL OP(MD) No.15506 of 2023
Date :18/04/2024

SS/VR/SAR- /23/04/2024/4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023