



C.R.P(MD)No.1694 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1694 of 2024

1.Moorthi

2.Muniyamma

... Petitioners /
Respondents 2 & 3

Vs.

1.Umashree

2.Minor.Dhuruva

Represented by his mother and
next friend Umashree

... Respondents 1 & 2 /
Petitioner 1 & 2

3.Vasanthan Babu

... 3rd Respondent /
1st Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records in the petition in D.V.O.P.No. 51 of 2022 on the file of the learned Judicial Magistrate, Karaikudi and struck off the same by allowing this civil revision petition.

For Petitioners : Mr.R.M.Sivakumar



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For Respondents : Mr.T.Antony Arul Raj
for R.1 & R.2

ORDER

Heard both sides.

2.The petitioners are figuring as respondents in D.V.O.P.No.51 of 2022 on the file of the learned Judicial Magistrate, Karaikudi. To strike off the same, this CRP has been filed.

3.When the matter was taken up for hearing, the learned counsel for the respondents submitted that the case is at the stage of arguments.

4.I am therefore not inclined to grant relief as sought for by the revision petitioners.

5.The learned counsel appearing for the revision petitioners states that they have not fully cross examined.

6.The revision petitioners are permitted to file a fresh application for recalling the witnesses for the complainant. If such an application is



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filed in the next date of hearing, it shall be allowed. If the witnesses are available locally, they shall appear in person for the purpose of cross examination. If the witnesses are unable to come in person, their cross examination shall be done through VC facility. This exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order. The revision petitioners shall get along with the arguments in the main DVOP immediately thereafter. DCOP itself shall be finished on merits and in accordance with law within a period of three months. The revision petitioners are directed to cross examine the witnesses on the day when they are produced.

7.This Civil Revision Petition is disposed of accordingly. There shall be no order as to costs.

02.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

The Judicial Magsitrate, Karaikudi.

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G.R.SWAMINATHAN, J.

MGA

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