



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

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Friday, the Seventh day of March Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL MP(MD) No.2392 of 2025

IN

CRL OP(MD) No.20595 of 2024

R.Krishnamoorthy

.....Petitioner/Petitioner

Vs

C.Rajeshkannan

.....Respondent/Respondent

Prayer in Crl MP(MD)No.2392 of 2025:- Criminal Miscellaneous Petitioner filed under Section 528, BNSS 2023, to grant extension of time in Crl OP.(MD) 20595 of 2024 dated 26.11.2024 for a further period of 3 months from today, i.e., 18.02.2025, to let in defence side evidence in S.T.C.No.9 of 2021 dated 19.11.2024 pending on the file of the Fast Track Court(Magistrate Level) at Uthamapalayam, Theni District.

Prayer in Crl.Op(MD) No.20595 of 2024:- Criminal Original Petition filed under Section 528 of the BNSS 2023, seeking to call for the records and of 2024 in S.T.C.No.9 of 2021, dated 19.11.2024, passed by the Fast Track Court (Magistrate Level), Uthamapalayam, Theni District.



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This criminal miscellaneous petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.P. Srinivasan, Advocate for the Petitioner, this court made the following order;-

The petitioner is the accused in S.T.C.No.9 of 2021 and thereafter, this Court passed an order in CrI.O.P(MD)No.20595 of 2024, dated 26.11.2024 by permitting the petitioner to examine the defendant's side witnesses on condition to complete without any delay within a period of two weeks from the date of receipt of a copy of this order. But however, the petitioner unable to examine the defendant's side witnesses within the time. Therefore, the petitioner filed this petition.

2. Considering the reasons stated by the petitioner and in order to give another chance to the petitioner, this Court is inclined to grant time. This Court also called for report from the learned Magistrate and the learned Magistrate also filed report. As per the report, the petitioner has not examined the defendant's side witnesses. Per contra, he filed transfer O.P petition before the learned Chief Judicial Magistrate Court.



3. Accordingly time is granted for another 15 days from the date of receipt of a copy of this order and the petitioner has to examine the witnesses within the time irrespective of the pendency of the Transfer O.P.

Sd/-
Assistant Registrar

// True Copy //

/04/2025
Sub Assistant Registrar
(CS - I/ II / III /IV)

To
1. The Judge,
Fast Track Court(Magistrate Level)
Uthamapalayam,
Theni District.

ORDER
IN
CRL MP(MD) No.2392 of 2025
IN
CRL OP(MD) No.20595 of 2024
Date :07/03/2025

jj/02.04.2025 3P/2C

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