

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2015

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

CrI.OP. No.22552 of 2015

Ramachandran

... Petitioner

Vs

State through the
Deputy Superintendent of Police
Kavundapadi Police Station
Gobichettipalayam
Erode District.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the proceedings in CMP No.974 of 2015 in Spl.S.C.No.65 of 2014 pending on the file of the learned Principal Sessions Judge, Erode and to set aside the same.

For Petitioner : Mr.T.Gowthaman

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

The petitioner has come forward with this petition, challenging the order of dismissal passed by the learned Principal Sessions Judge, Erode dated 12.08.2015 in dismissing the petition filed by the petitioner under Section 311 of the Criminal Procedure Code to recall PWs.1 to 4.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent and perused the materials available on record.

3. On a careful perusal of the order passed by the Court below, it is seen that it has rightly pointed out that already the witnesses have been cross-examined by the petitioner with reference to the point he want to make and at this stage, if the witnesses

are once again recalled, there is a chance for gaining over the witnesses. Accordingly, dismissed the petition filed by the petitioner under Section 311 Cr.P.C.

4. In view of the above finding, I do not find any reason to interfere with the reasoned order passed by the Court below. However, it is open to the petitioner to raise all the points, which have been raised before this Court at the arguments stage before the Court below.

5. With the above observation, this petition is dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Principal Sessions Judge,
Erode
2. The Deputy Superintendent of Police
Kavundapadi Police Station
Gobichettipalayam
Erode District.
3. The Public Prosecutor,
Madras

+1cc to M/s.W.Camyles Gandhi, Advocate, S.R.No.49339

Cr1.OP No.22552 of 2015

MG(CO)
CA(28/09/2015)

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