



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD).No.20945 of 2016

and

Crl.M.p.(MD).Nos.10664 and 10665 of 2016

Madasamy

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
All Women Police Station,
South, Madurai.

.. Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order dated 29.09.2016 made in Crl.M.P.No.1010 of 2016 in Spl.S.C.No.5 of 2014 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai District.

For Petitioner :Mr.M.Shakul Hameed

For Respondent :Mr.K.Anbarasan

Government Advocate (Crl. Side)

ORDER

This petition is filed to set aside the order dated 29.09.2016 made in Crl.M.P.No.1010 of 2016 in Spl.S.C.No.5 of 2014 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3. The petitioner is the sole accused in Spl.S.C.No.5 of 2014 on the file of the learned Sessions Judge, Mahalir Neethimandram, Madurai District. He filed Crl.M.P.No.1010 of 2016, in Spl.S.C.No.5 of 2014, under Section 311 Cr.P.C., to recall of PW1, PW7, PW8 and PW9 for the purpose of cross-examination. But the learned Sessions Judge, Mahalir Neethimandram, Madurai District, dismissed the application by observing that PW1, the victim girl was examined in chief on 13.03.2015, PW7 on 15.05.2016, PW8 on 13.05.2016 and PW9 on 27.06.2016 and after closure of the evidences, this application was filed belatedly and the learned Judge has also relied on the judgement reported in 2016-2-LW(Crl)340.



4. Considering the above facts, I do not find any merits in this case. Therefore, the Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(co)

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/True copy/

Sub Assistant Registrar

To

1.The Sessions Judge, Mahalir Neethimandram, Madurai District.

2.The Inspector of Police, All Women Police Station, South, Madurai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.Shakul Hameed, Advocate Sr.No.65329

pjl

sm:ss 3:07/12/2016:2P/5C

Cr1.O.P(MD)No.20945 of 2016