



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2016

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP(MD) No.6695 of 2016

WEB COPY

S.Jarina Banu

..Petitioner

Vs

1.State represented through its,
The Inspector of Police,
Aravakurichi Police Station,
Karur District.

2.The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

.. Respondents

Prayer:- Criminal Original Petition filed under Section 407 Cr.P.C., to call for the records in respect of C.C.No.159 of 2015 pending on the file of the Judicial Magistrate No.2, Karur and transfer the same to any other competent Court.

For Petitioner

:Ms.J.Nisha Banu

For Respondents

:Mrs.S.Prabha

Government Advocate(Crl.Side)

O R D E R

This petition has been filed to call for the records in respect of C.C.No.159 of 2015 pending on the file of the Judicial Magistrate No.2, Karur and transfer the same to any other competent Court.

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

3. When the matter was taken up for hearing, the learned Government Advocate (Crl.Side) submitted that the charges have been framed against the accused and summons have been issued for examination of L.W.1 to L.W.3 on 01.06.2016.

4. Under such circumstances, the petitioner/defacto complainant is directed to appear before trial Court on 01.06.2016 and give evidence. The trial Court is directed to ensure sufficient security for the defacto complainant/ P.W.1, so that she gives evidence in a free and fair manner. The trial Court shall further ensure that the accused should cross-examine the witnesses on the same day of their examination in chief as held by the Honourable Supreme Court in **Vinod Kumar Vs. State of Punjab**,



reported in **2015(1) MLJ 288(SC)**. If the accused adopt any dilatory tactics, it is open to the trial Court to remand them to custody as per Section 309 Cr.P.C. and also as per the decision laid down by the Honourable Supreme Court in **State of U.P. Vs. Sambhunath Singh** reported in **2001(4) SCC 667**.

With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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To

1.The Judicial Magistrate No.2, Karur.

2.The Inspector of Police,
Aravakurichi Police Station,
Karur District.

3.The Inspector of Police,
Velayuthampalayam Police Station, Karur District.

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

+1 cc to M/S.J.Nisha Banu, Advocate, SR No.24166

RG.JGB-SS/ 09/05/2016 2P.6C

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