

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.10.2017

CORAM

THE HONOURABLE Mr. JUSTICE M.S.RAMESH

CrI.O.P.No.20102 of 2017

and

CrI.M.P.No.12115 of 2017

1.Anandhiammal

2.Davasimani

.. Petitioners

...Vs....

The State,
represented by Inspector of Police,
H4,Korukkupet Police Station,
Korukkupet,Chennai-2.

.. Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. against the order dismissing the petition under Section 311 of Criminal Procedure Code in CrI.M.P.No.12453 of 2017 in S.C.No.20 of 2016 datedc 07.09.2017 on the file of session Judge, Mahila Court, Chennai.

For Petitioners : Mr.M.L.Ramesh
For Respondent : Mr.P.Govindarajan,
Addl.Public Prosecutor

O R D E R

This Criminal Original Petition has been filed under Section 482 Cr.P.C, against the order dismissing the petition under Section 311 of Criminal Procedure Code in CrI.M.P.No.12453 of 2017 in S.C.No.20 of 2016 datedc 07.09.2017 on the file of session Judge, Mahila Court, Chennai.

2. The petition under Section 311 of Cr.P.C came to be dismissed on 07.09.2017 in crime No.12453 of 2017 which is under challenge in the present petition.

3. Though, the petitioner has raised various grounds challenging the said order, the learned counsel for the petitioner requested the Court to take a sympathetic view and to give one more opportunity by giving an undertaking that they will complete the cross examination on the same day. I am of the

view that if the petitioner is granted an opportunity to cross examine P.Ws 1 and 2 and complete the same on a single day, ends of justice would be met. It is made clear that I have not found any infirmity or mistake in the order of the learned Sessions Judge made in CRL.M.P.No.12453 of 2017.

4. However, in order to grant one more opportunity to the petitioner, this Criminal Original Petition is allowed and the order of the dismissal passed in CRL.MP.No.12453 of 2017 dated 07.09.2017 is set aside. Consequently, the petitioner is permitted to cross examine P.W.s 1 and 2 on 24.10.2017. It is made clear that the petitioner shall cross-examine both the witnesses on the same day and no further opportunity will be granted. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police,
H4,Korukkupet Police Station,
Korukkupet,Chennai-2.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.L.Ramesh, Advocate in sr.no.72310

Crl.O.P.No.20102 of 2017 and
Crl.M.P.No.12115 of 2017

LRS (CO)
NR 13/10/2017

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