

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.21988 of 2017
and Crl.M.P.Nos.12897 & 12898 of 2017

R.Saravana Karthickeyan ..Petitioner/Accused A1

Vs.

The Inspector of Police,
CCB, TEAM-8, COP,
Chennai-7. ..Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set aside the order in Crl.M.P.No.1363 of 2017 in C.C.No.27 of 2017 dated 28.09.2017 on the file of the learned Special CCB, CBCID Metropolitan Court, Allikulam, Chennai, for exclusive trial of CCB cases (relating to cheating cases in Chennai) and CBCID metro cases, Chennai and allow this Criminal Original Petition.

For Petitioner : Mr.S.Kingston Jerold

For Respondent : Mr.P.Govindarajan
Additional Public Prosecutor

ORDER

Criminal Original Petition is filed praying to set aside the order in Crl.M.P.No.1363 of 2017 in C.C.No.27 of 2017 dated 28.09.2017 on the file of the learned Special CCB, CBCID Metropolitan Court, Allikulam, Chennai, for exclusive trial of CCB cases (relating to cheating cases in Chennai) and CBCID metro cases, Chennai.

2.Heard the learned counsel for the petitioner and the learned Additional Public prosecutor for the respondent.

3.The petitioner is aggrieved by the onerous condition of imposing a cost of Rs.800/- each for the purpose of cross examining P.Ws.1 to 16 under Section 311 of Cr.P.C. in Crl.M.P.No.1363 of 2017 in C.C.No.27 of 2017 dated 28.09.2017 on the file of the learned Special CCB, CBCID Metropolitan Court, Allikulam, Chennai.

4.The learned Additional Public Prosecutor on the other hand objected and submitted that under the guise of cross examination, the petitioner is only protracting the proceedings.

5.Opposing to the above submission, the learned counsel for the petitioner submitted that the petitioner is a indigent person and he is unable to even engage a lawyer in view of his financial circumstances.

6.In view of the submissions made on both sides, no prejudice would be caused to the other side, if the cost is reduced to Rs.500/- each.

7.In the result, the Criminal Original Petition stands allowed. The condition imposed in the order dated 28.09.2017 in CrI.M.P.No.1363 of 2017 in C.C.No.27 of 2017 on the file of the learned Special CCB, CBCID Metropolitan Court, Allikulam, Chennai, in so far as relates to payment of cost of Rs.800/- is modified to the effect that the petitioner shall pay a sum of Rs.500/-. All other conditions in the said order dated 28.09.2017 shall remain intact. It is made clear that the petitioner shall cross examine P.Ws.1 to 16 on 24.10.2017 and complete the same on the same day. It is made clear that the petitioner shall complete the cross examination of the above said witnesses on the aforesaid date and that there shall be no further extension of time for cross examination. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar (AR-J)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

rm

To

1. The Inspector of Police, CCB, TEAM-8, COP, Chennai-7.
2. The Public Prosecutor, High Court, Madras.
3. The Special CCB, CB-CID, Metropolitan Court, Allikulam, Chennai.

+ 1 cc to Mr. S. Kingston Jerold, Advocate SR.73638

CrI.O.P.No.21988 of 2017

MR (CO)

EU (22/11/2017)

<https://hcservices.ecourts.gov.in/hcservices/>