

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.2497 of 2017
and
Crl.M.P.No.1751 of 2017

P.Velmurugan

... Petitioner/Petitioner/
Accused

Vs

State: Inspector of Police,
Rasipuram A.W.P.S.,
(Cr.No.7/2015).

... Respondent/Respondent/
Complainant

Petition filed under Section 482 of the Criminal Procedure Code, to set aside the orders passed in Crl.M.P.No.567 of 2016 in Spl.C.C.No. 51 of 2015 on the file of the Sessions Judge (Fast Track Mahila Court), Namakkal, dated 29.11.2016 and permit the petitioner to cross examine all the witnesses.

For Petitioner : Mr.S.Doraisamy

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

For cross-examination of P.Ws.1 to 4, the petitioner filed a petition under Section 311 of Cr.PC before the Trial Court and the same was dismissed without adducing proper reasons. Hence the petitioner is before this Court with this Criminal Original Petition.

2.The learned counsel for the petitioner submitted that the counsel who was to cross-examine P.Ws.1 to 4 was not well and hence necessary petition was filed to that effect, yet, the petitioner was not allowed to cross-examine the witnesses.

3.Mr.C.Emalias, learned Additional Public Prosecutor, takes notice for the respondent.

4.Considering the facts and circumstances of the case and the issue involved relates to the year 2012, this Court is inclined to fix a date for cross-examination of P.Ws.1 to 4 by the petitioner. Accordingly, the date is fixed on 28.02.2017 on which date, the cross-examination of P.Ws.1 to 4 shall take place and it will have to be over on the same day. It is made clear that no petition shall be filed under Section 311 of Cr.PC for the same cause. The formalities with regard to cross-examination of P.W.2, ie., serving the necessary questionnaire, be made well in advance before commencing the cross-examination.

5.The Criminal Original Petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

KM

To

1. The Sessions Judge,
(Fast Track Mahila Court),
Namakkal.
2. The Inspector of Police,
Rasipuram All Women Police Station,
Rasipuram.
3. The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No.10441

CrI.O.P.No.2497 of 2017
and
CrI.M.P.No.1751 of 2017

KJ(CO)
CA(21/02/2017)