

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.6780 of 2015

1.Kumar
2.Mari
3.Raja
4.Selvam
5.Palani

.... Petitioners/Accused

Vs

1. The State rep. By
The Inspector of Police
Sunguvar Chathiram Police Station,
Kancheepuram District. Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Crl.M.P.No.32 of 2015 in S.C.No.48 of 2012, dated 06.01.2015, on the file of the learned District Sessions Judge-II, Kancheepuram and set aside the order and direct the trial court to recall the witness P.W.15, to cross examine by the petitioners.

For Petitioners : No appearance

For Respondents : Mr.C.Emalias
Addl. Public Prosecutor

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O R D E R

No representation for the petitioners.

2.The petitioners have come forward with this petition to set aside the order passed in Crl.M.P.No.32 of 2015 in S.C.No.48 of 2012, dated 06.01.2015, by the learned District Sessions Judge-II, Kancheepuram and to direct the trial Court to recall the witness P.W.15, to be cross examined by the petitioners.

3.The learned Additional Public Prosecutor submitted that for the very same relief, the petitioners have already filed a Petition of similar nature in Crl.M.P.No.364 of 2013 and the same was dismissed by the learned Sessions Judge on 02.04.2013.

The learned Additional Public Prosecutor has also submitted that the petitioners have come forward with this Petition only to drag on the proceedings and hence the same may be dismissed as not maintainable.

3. Recording the submissions of the learned Additional Public Prosecutor, this Court is not inclined to accept the averments raised by the petitioners in this Petition, since Section 311 of Cr.P.C., restricts the discretionary power vested with this Court and the same cannot be invoked without a reasonable cause.

Accordingly, the Criminal Original Petition stands dismissed.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar

Rpa/gsk

To

1. The Inspector of Police
Sunguvar Chathiram Police Station,
Kancheepuram District.
2. The Public Prosecutor,
High Court, Madras.
3. The District Judge-II,
Kancheepuram.

Cr1.O.P.No.6780 of 2015

SVI (CO)
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