



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twentieth day of February Two Thousand Eighteen

PRESENT

THE HON'BLE DR.JUSTICE S.VIMALA

AND

THE HON'BLE MRS.JUSTICE T.KRISHNAVALLI

CRL MP(MD)Nos.11236 to 11239 of 2016

IN

CRL A(MD)Nos.242 of 2016, 290,291 and 292 of 2015

CRL.MP(MD)NO.11236/2016 IN CRL.A(MD)No.242/2016:

STATE REP.BY

THE PUBLIC PROSECUTOR,

HIGH COURT, CHENNAI 104.

(SIVAGANGAI TALUK POLICE STATION,

CR.NO.446 OF 2012,

SIVAGANGAI DISTRICT)

..Petitioner/Respondent

- Vs. -

1 THANGARAJ

2 MUTHUKUMAR

3 KANAKARAJ

4 CHELLAM

5 RAJAMANI

6 BOSE

7 MATHANAGOPAL

8 SANTHAKUMAR

9 RAFHEL @ KATHIRVEL

10 SUBIRAMANIYAN

..Respondents/Appellants/Accused

NOS.12 to 21 in Crl.A(MD)No.242/2016

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to recall the following witnesses Nos. 1)PW.35 Mr.Vijayan, 2) PW.57 Mr.Thayalan Tamilselvan for further evidence and to examine Additional Witnesses of the following persons 1) F.Jerry Louis, HC.182, Now SSI., CBCID., Sivagangai 2) S.Jeeva, Assistant Manager, Kaleeswarar Mills, Kalaarkovil, 3) Dr.Manivannan, 4) Dr.R.Kim, 5) D.Chandrakumar, Inspector Q Branch, Sivagangai, 6) Tr.Peter, Inspector Vigilance and Anti Corruption, Sivagangai District and 7) Tr.Aravindan, (Nodal Officer) in Crl.A(MD).No.292/2015 on the file of this Honourable High Court in SC.No.72/2013 on the file of the Sessions Judge, Sivagangai so as to take Additional Evidence.

(Prayer amended as per order of this Hon'ble Court made in Crl.MP (MD)No.11440/2016 in Crl.A(MD)No.242/2016 dated 21.11.2016 by SNJ & MVMJ)

Prayer in CRL A(MD). 242/ 2016 :

Criminal Appeal filed under Section 378 of Cr.PC., to allow the appeal and set aside the acquittal judgement dated 29.9.2015 in S.C.No.72/2013 on the file of the Sessions Judge, Sivagangai to convict the respondents/Accused 12 to 21 as charged.

CRL.MP(MD)NO.11237/2016 IN CRL.A(MD)No.290/2015:

STATE REP.BY
DEPUTY SUPERINTENDENT OF POLICE,
CBCID, MADURAI.
IN CR.NO.446 OF 2012
(SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.)

..Petitioner/Respondent

- Vs. -

1 AGNIRAJ
2 SATHYARAJ
3 PAULPANDI

..Respondents/Appellants/
Accused Nos.2,3 & 4

Prayer in CRL MP(MD). 11237/ 2016 IN CRL.A(MD)No.290/2015:

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to recall the following witnesses Nos. 1)PW.35 Mr.Vijayan, 2) PW.57 Mr.Thayalan Tamilselvan for further evidence and to examine Additional Witnesses of the following persons 1) F.Jerry Louis, HC.182, Now SSI., CBCID., Sivagangai 2) S.Jeeva, Assistant Manager, Kaleeswarar Mills, Kalaarkovil, 3) Dr.Manivannan, 4) Dr.R.Kim, 5) D.Chandrakumar, Inspector Q Branch, Sivagangai, 6) Tr.Peter, Inspector Vigilance and Anti Corruption, Sivagangai District and 7) Tr.Aravindan, (Nodal Officer) in Crl.A(MD).No.292/2015 on the file of this Honourable High Court in SC.No.72/2013 on the file of the Sessions Judge, Sivagangai so as to take Additional Evidence.

(Prayer amended as per order of this Hon'ble Court made in Crl.MP (MD)No.11439/2016 in Crl.A(MD)No.290/2015 dated 21.11.2016 by SNJ & MVMJ)

Prayer in CRL A(MD). 290/ 2015 :

Criminal Appeal filed under Section 374(2) of Cr.PC., to call for the records relating to the order passed in S.C.No.72/2013 dated 29.09.2015 on the file of the learned Sessions Judge, Sivagangai and set aside the same and acquit the appellants/accused from all the charges leveled against them.

CRL.MP(MD)NO.11238/2016 IN CRL.A(MD)No.291/2015:

STATE REP.BY
DEPUTY SUPERINTENDENT OF POLICE,
CBCID, MADURAI.
IN CR.NO.446 OF 2012
(SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT)

..Petitioner/RESPONDENT



- Vs. -

..Respondent/Appellant/Accused No.6
IN C.A.NO.291/2015

Prayer in CRL MP(MD). 11238/ 2016 IN CRL.A(MD)No.291/2015: :

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to recall the following witnesses Nos. 1)PW.35 Mr.Vijayan, 2) PW.57 Mr.Thayalan Tamilselvan for further evidence and to examine Additional Witnesses of the following persons 1) F.Jerry Louis, HC.182, Now SSI., CBCID., Sivagangai 2) S.Jeeva, Assistant Manager, Kaleeswarar Mills, Kalaarkovil, 3) Dr.Manivannan, 4) Dr.R.Kim, 5) D.Chandrakumar, Inspector Q Branch, Sivagangai, 6) Tr.Peter, Inspector Vigilance and Anti Corruption, Sivagangai District and 7) Tr.Aravindan, (Nodal Officer) in Crl.A(MD).No.292/2015 on the file of this Honourable High Court in SC.No.72/2013 on the file of the Sessions Judge, Sivagangai so as to take Additional Evidence.

(Prayer amended as per order of this Hon'ble Court made in Crl.MP (MD)No.11441/2016 in Crl.A(MD)No.291/2015 dated 21.11.2016 by SNJ & MVMJ)

Prayer in CRL A(MD). 291/ 2015 :

Criminal Appeal filed under Section 374(2) of Cr.PC., to call for the records relating to the order passed in S.C.No.72/2013 dated 29.09.2015 on the file of the learned Sessions Judge, Sivagangai and set aside the same and acquit the appellant/accused from all the charges leveled against him.

CRL.MP(MD)NO.11239/2016 IN CRL.A(MD)No.292/2015:

STATE REP.BY

DEPUTY SUPERINTENDENT OF POLICE CBCID, MADURAI,
IN CR.NO.446 OF 2012

(SIVAGANGAI TALUK POLICE STATION
SIVAGANGAI DISTRICT)

..Petitioner/Respondent

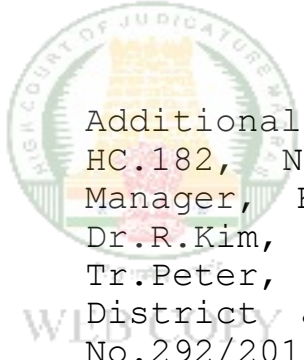
- Vs. -

- 1 V.ARJUNAN
- 2 SIVAKUMAR
- 3 VIJAYAKUMAR
- 4 SURESH @ LENINKUMAR
- 5 KARANTHAMALAI
- 6 GANESAN
- 7 JEYAKUMAR

..Respondents/Appellants/
Accused Nos.1,5 & 7 to 11

Prayer in CRL MP(MD). 11239/ 2016 IN CRL.A(MD)No.292/2015 :

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to recall the following witnesses Nos. 1)PW.35 Mr.Vijayan, 2) PW.57 Mr.Thayalan Tamilselvan for further evidence and to examine



Additional Witnesses of the following persons 1) F.Jerry Louis, HC.182, Now SSI., CBCID., Sivagangai 2) S.Jeeva, Assistant Manager, Kaleeswarar Mills, Kalaarkovil, 3) Dr.Manivannan, 4) Dr.R.Kim, 5) D.Chandrakumar, Inspector Q Branch, Sivagangai, 6) Tr.Peter, Inspector Vigilance and Anti Corruption, Sivagangai District and 7) Tr.Aravindan, (Nodal Officer) in Crl.A(MD). No.292/2015 on the file of this Honourable High Court in SC.No.72/2013 on the file of the Sessions Judge, Sivagangai so as to take Additional Evidence.

(Prayer amended as per order of this Hon'ble Court made in Crl.MP (MD)No.11438/2016 in Crl.A(MD)No.292/2015 dated 21.11.2016 by SNJ & MVMJ)

Prayer in CRL A(MD). 292/ 2015 :

Criminal Appeal filed under Section 374(2) of Cr.PC., to call for the records relating to the order passed in S.C.No.72/2013 dated 29.09.2015 on the file of the learned Sessions Judge, Sivagangai and set aside the same and acquit the appellants/accused from all the charges leveled against them.

Order : These petitions coming on for orders upon perusing the petitions filed in support thereof and upon hearing the arguments of M/S.C.RAMESH, Additional Public Prosecutor appearing for the petitioner in all the petitions and of hearing the arguments of MR.R.VENKATESWARAN Advocate for the the respondents in Crl.MP(MD) Nos.11236/2016 in Crl.A(MD)No.242/2016 and in Crl.MP(MD) Nos.11239/2016 in Crl.A(MD)No.292/2015 and Mr.S.G.L.RISHWANTH, Advocate appearing for the respondents in Crl.MP(MD) Nos.11237/2016 in Crl.A(MD)No.290/2015 and of Mr.P.AJU TAGORE, Advocate for the respondent in Crl.MP(MD)No.11238/2016 in Crl.A (MD)No.291/2015 and the court made the following order:-

Three month time is granted to comply with the direction of this Court dated 07.09.2017.

sd/-
20/02/2018

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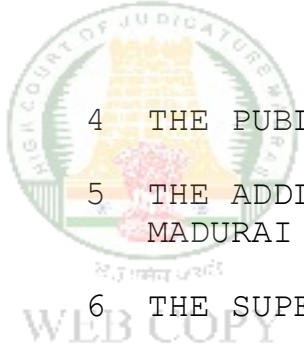
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SESSIONS JUDGE, SIVAGANGAI.

2 THE DEPUTY SUPERINTENDENT OF POLICE, CBCID, MADURAI.

3 THE INSPECTOR OF POLICE, SIVAGANGAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.



4 THE PUBLIC PROSECUTOR HIGH COURT, CHENNAI-104.

5 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

6 THE SUPERINTENDENT,CENTRAL PRISON, TRICHY.

ORDER IN
CRL MP(MD)Nos.11236 to 11239 of 2016 IN
CRL A(MD)Nos.242 of 2016, 290,291 and 292
of 2015
Date :20/02/2018

MS/CM/SAR.1/22.02.2018/5P.7C