



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Crl.OP.(MD)No.6350 of 2017

WEB COPY

P.Pavunraj

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
All Women Police Station,
Tirumangalam, Madurai District.

... Respondent

PRAYER: This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code, praying to set aside the order passed by the District Mahila Court Madurai in Crl.M.P.No.786 of 2017 in SC.320/2010 on 09.05.2017 and thus render justice.

For Petitioner	: Mr. R.Ramasamy
For Respondent	: Mrs.S.Prabha Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition is filed Under Section 482 of Criminal Procedure Code, praying to set aside the order passed by the District Mahila Court Madurai in Crl.M.P.No.786 of 2017 in SC.320/2010 on 09.05.2017.

2.Heard Mr. R.Ramasamy, the learned counsel appearing for the petitioner and Mrs. S.Prabha, the learned Government Advocate (Crl.side) appearing for the 1st respondent.

3.It is seen that an application in Crl.M.P.No.786 of 2017 under Section 311 Cr.P.C. has been filed to recall P.Ws.1 and 2. The trial Court had directed deposit of Rs.300/- to each witnesses towards batta on or before 08.05.2017. Since the said amount was not paid, the said application was dismissed.

4. Considering the facts and circumstances of the case, this Court is inclined to give one more opportunity to the petitioner.

5.Accordingly, this Criminal Original Petition is allowed and the order passed by the District Mahila Court Madurai in Crl.M.P.No.786 of 2017 in SC.320/2010 on 09.05.2017 is set aside and the petitioner is directed to deposit Rs.300/- to each witnesses towards batta on the next hearing date and to file an application under Section 311 Cr.P.C., which shall be considered



fresh without being influenced by the earlier order passed by the trial Court or the order now passed by this Court.

Sd/-
Vacation Officer/
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1.The Learned Judge, Mahila Court,
Madurai

2.The Inspector of Police,
All Women Police Station,
Tirumangalam, Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.R.Ramasamy, Advocate, SR.No.57475

Gsp
RL/5C/2P/MR/SAR1/31.5.2017

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25.05.2017