



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.811 of 2017

Senthilkumar ... Petitioner/Petitioner/Accused No.1

vs.

State rep.by
Inspector of Police
Medical College Hospital
Police Station

Thanjavur ...Respondent/Respondent/Complainant

PRAYER: This petition is filed under Section 482 Cr.P.C., to call for the records relating to the impugned order of the learned Sessions Court (Fast Track Mahila Court), Thanjavur, in Crl.M.P.No.637 of 2015 in S.C.No.327 of 2011, dated 06.08.2016 and set aside the same.

For Petitioner : Mr.R.J.Karthick
For Respondent : Mr.K.Anbarasu, Govt. Advocate

O R D E R

The petitioner is the first accused in S.C.No.327 of 2011, on the file of the learned Sessions Judge, Fast Track Mahila Court, Thanjavur, for the offence under Sections 366 and 376 I.P.C.

2. It is seen that P.Ws.1 and 2 were examined in chief on 14.09.2015 and they were extensively cross-examined by the accused side. Thereafter, the petitioner / A1 filed a criminal miscellaneous petition, in Crl.M.P.No.637 of 2015, for once again recalling P.W.1 for further examination on the ground that there is a contradiction between the evidence of P.Ws.1 and 2. The learned Trial Judge, by the impugned order dated 06.08.2016, dismissed the said criminal miscellaneous petition. Challenging the order of dismissal, the petitioner / A1 is before this Court.

3. Heard the learned counsel for the petitioner / A1 and the learned Government Advocate for the respondent - Police.

4. It is seen that this is a case of abduction and rape and the incident had taken place sometimes in the year 2010 and charge sheet was also filed in the year 2011. P.Ws.1 and 2 were examined in chief as stated above on 14.09.2015 and they were also extensively cross-examined by the accused side. Under such circumstances, this Court does not find any infirmity in the



impugned order passed by the Trial Court and it does not warrant any interference by this Court.

5. In the result, the criminal original petition fails and it is dismissed. However, since the case is of the year 2011, the learned Sessions Judge, Fast Track Mahila Court, Thanjavur, is directed to dispose of the case, in S.C.No.327 of 2011, as expeditiously as possible.

Sd/-
Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Sessions Judge,
Fast Track Mahila Court,
Thanjavur.

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

+1 cc to M/R.R.J.KARTHICK, Advocate, SR.No:12826

KRK

SVA/BS/17.03.2017/2P/4C

Cr1.O.P.(MD) No.811 of 2017
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