



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.R.C(MD) .No.605 of 2017

and

Cr1.M.P(MD)No.6818 of 2017

1.Sakthivel
2.Nagesh @ Nageshwaran
3.Siva @ Sivaji
4.Siva @ Sivakumar .. Petitioners/petitioners/Accused No.1 to 4
-Vs-

The State of Tamil Nadu,
represented through
The Sub-Inspector of Police,
Gandhi Market Police Station,
Trichirappalli.

(In Crime No.15 of 2013) ... Respondent/Respondent/Complainant

Prayer : Criminal Revision Case filed under Section 397 r/w 401 and 482 of the Code of Criminal Procedure, praying this Court to set aside the order dated 13.7.2017, passed in Cr.M.P.No.256 of 2017 in S.C.No.171 of 2015 on the file of the Ist Additional District Judge(PCR),Trichirappalli by allowing this revision.

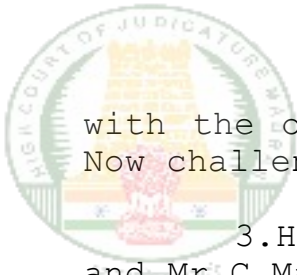
For Petitioners : Mr.N.R.Murugesan

For Respondent : Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor

O R D E R

Dismissing the Petitioners application filed under Section 233 Cr.P.C to summon some of the witnesses and also to call for some documents during the trial, the present revision has been filed.

2.The Petitioners are accused in S.C.No. S.C.No.171 of 2015 on the file of the Ist Additional District Judge(PCR), Trichirappalli. The above case has been registered against the Petitioners for the offence under Sections 364(A), 365 and 386 of IPC. After commencement of trial, the Petitioners filed an application to summon the Inspector of Police, Palakkarai Police Station, Sub-Inspector of Police, Kumbakonam West Police Station, Tahsildar of Kumbakonam Town and one Ravi @ Ravi Murugaiah and also some of the FIR registered, subsequent to the occurrence, to mark it as evidence and for cross-examination of the witnesses. The trial Court dismissed the application holding that all those witnesses are related to a subsequent occurrence and it is in no way connected



with the occurrence in which the Petitioners have been implicated. Now challenging the same, the present revision is filed.

3. Heard Mr.N.R.Murugesan, learned counsel for the Petitioners and Mr.C.Mayilvahana Rajendran, learned Additional Public Prosecutor appearing for the respondent/state and perused the materials carefully.

4. Perusal of the records would show that all those witnesses and the documents sought to be summoned by the Petitioners are related to the subsequent events, in which the victim in this case again was abducted, and also subsequently died on a suspicious circumstances. Hence their evidence is in no way going to help the case of the Petitioners. The trial Court considered the same and dismissed the Petition filed by the Petitioners. This Court finds no illegality or irregularity in the order passed by the Court below, warranting interference by this Court. Thus the revision fails.

5. Accordingly, the Criminal Revision Case is dismissed. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Ist Additional District Judge (PCR),
Trichirappalli.

2. The Sub-Inspector of Police,
Gandhi Market Police Station,
Trichirappalli.

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

+1cc to Mr.N.R.MURUGESAN Advocate in SR. NO.69964

VSN

JS/GT/SAR.1/11.08.2017/2P-5C

**Cr1.R.C(MD) .No.605 of 2017
and**

Cr1.M.P(MD) No.6818 of 2017



WEB COPY

3

02.08.2017