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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:27.08.2018

Coram:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Criminal Revision Case No.649 of 2018
and

Crl.M.P.No.7511 of 2018

1.Kumar @ Thangaraj

2.Poongodi

.. Petitioners

/versus/

State represented by
The Inspector of Police,
Mettur Police Station
Salem District.
(Crime No.48 of 2012)

.. Respondent

Criminal Revision Case is filed under Section 397 r/w 401 of the Criminal Procedure Code to set aside the order dated 15.05.2018 made in Crl.M.P.No.621 of 2018 in S.C.No.325 of 2015 on the file of the Sessions Judge(Mahila Court), Salem.

For Petitioners

:Mr.N.A.Ravindran

For Respondent

:Ms.S.Thankira,

Government Advocate(crl.side)

ORDER

The Criminal Revision Petition has been filed to set aside the order dated 15.05.2018 made in Crl.M.P.No.621 of 2018 in S.C.No.325 of 2015 on the file of the Sessions Judge(Mahila Court), Salem.

2. The petitioners have filed a petition before the trial Court under Section 243 of the Code of Criminal Procedure to issue process for the attendance (PW-11 Mr.Mthamil Selvarasan) and to allow to cross examine him and the same was dismissed on the ground that the petition was filed only to protract the proceedings and the PW-11 had sufficiently cross examined by the counsel and it was a vexatious petition, against which, the present petition is filed.

3. The learned Government Advocate would submit that without going into merits and demerits of the case, PW-11 is available on 07.09.2018 for cross examination and the petitioner may be directed to complete the cross examination on the same day itself.



4. In view of the above, I am inclined to issue a direction to the lower Court to permit the petitioner to cross examine PW-11 on 07.09.2018 and the petitioner is directed to complete the cross examination on the same day itself.

5. With the above direction, this Criminal Revision Petition stands disposed of. However, the lower Court is hereby directed to dispose of the case in S.C.No.325 of 2015 within a period of three months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Sessions Judge,
Mahila Court, Salem.

2.The Inspector of Police,
Mettur Police Station, Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.N.A.Ravindran, Advocate Sr.No. 58340

AKM/01.11.19/2P-5C/

Cr1.R.C.No.649 of 2018
and
Cr1.M.P.No.7511 of 2018