

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.833 of 2018
and Crl.M.P.No.276 of 2018

P.Elangovan

... Petitioner/Accused-3

Vs

State of Tamil Nadu represented by its
The Inspector of Police,
E-1, Mylapore Police Station,
Mylapore, Chennai 600 003.
Crime No.1438/2010.

... Respondent/complainant

Prayer : Criminal Original Petition filed under Section 482
Cr.P.C. to set aside the order dated 20.12.2017 and call the
entire records comprised in Crl.M.P.No.360 of 2017 in S.C.No.324
of 2016 made by the Learned 15th Additional Sessions Judge, City
Civil Court, Chennai.

For Petitioner : M/s.Vimal B.Crimson

For Respondent : M/s.V.Sarathadevi
Government Advocate [Crl. Side]

O R D E R

On a perusal of the order under challenge, I do not
find any infirmity in the order dated 20.12.2017 passed by the
learned XV Additional Sessions Judge, City Civil Court, Chennai.

2. Nevertheless, the learned counsel appearing for the
petitioner submits that he could not be present on that day,
since he was engaged in the other Court.

3. The learned counsel now submits that he would be
satisfied if an opportunity is given to cross examine PW's.1,2,
and 3 alone and that such cross examination can be restricted to
one day.

4. In the result the order dated 20.12.2017 passed in
Crl.M.P.No.360 of 2017 in S.C.No. 324 of 2016 on the file of the
learned XV Additional Sessions Judge, City Civil Court, Chennai,

is set aside. Consequently, the petitioner is permitted to cross examine PW's.1,2 and 3 alone on 31.01.2018. It is made clear that such cross examination shall be completed on the same day and the petitioner shall also co-operate with the trial from the next hearing onwards.

5. With the above observations, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sji/smn

To

- 1.The learned XV Additional Sessions Judge,
City Civil Court, Chennai.
- 2.The Inspector of Police,
E-1, Mylapore Police Station,
Mylapore, Chennai 600 003.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Vimal B.Crimson Advocate sr 3943

Cr1.O.P.No.833 of 2018
and Cr1.M.P.No.276 of 2018

aa25/01/2018

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