

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2018
CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

Crl.O.P.No. 3556 of 2018 &
Crl.M.P.No.1572 of 2018

A.Gopal Rao @ Vijay Gopal Rao

.. Petitioner

Vs

State Represented by
Inspector of Police,
CCB Team-16, Land Grab Team,
Office of the Commissioner of Police,
Vepperi, Chennai.

... Respondent

Prayer:Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to modify the order passed by the learned Judicial Magistrate, Alandur in CMP. No.470 of 2018.

For Petitioner : Mr.J.Ravi Shankar

For Respondent : Mr.C.Raghavan,
Government Advocate (Crl. Side)

ORDER

This petition has been filed by the petitioner to modify the order passed by the learned Judicial Magistrate, Alandur in CMP No.470 of 2018 dated 01.02.2018.

2.According to the petitioner, the order passed under Section 311 Cr.P.C in CMP No.470 of 2018 was received by him only on 01.02.2018 and as such, he could not comply with the condition of the order, to pay Rs.3,000/- per witness for the purpose of cross-examination. However, on 02.02.2018, the evidence of PW.1 and PW.2 came to be closed.

3. In my view, the petitioner can be granted another opportunity to cross-examine the PW1 and PW2, since the order copy came to be received only on 01.02.2018. As such, the order dated 02.02.2018 in C.C.No.325 of 2015, closing of evidence of PW1 and PW2 is set aside. Consequently, the petitioner is permitted to recall and cross-examine the PW1 and PW2 on 19.02.2018. It is made clear that the cross examination shall be completed on the same day and no further opportunity would be

given.

4. With the above observation, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
CCB Team-16, Land Grab Team,
Office of the Commissioner of Police,
Vepperi, Chennai.

2.The Judicial Magistrate, Alandhur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.J.Ravi Shankar, Advocate, S.R.No.9155

RRK(12/02/2018)

Cr1.O.P.No.3556 of 2018

The seal of the High Court of Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital in front of it. The lion capital is flanked by two red horses. Below the lion capital is a red wheel. The entire emblem is set against a green background with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the emblem. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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