



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.09.2018
CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Crl.O.P.(MD).No.16150 of 2017
and
Crl.M.P.(MD)No.10694 of 2017

1.Palanikumar
2.Ranjitham
3.Rajalekshmi

...Petitioners/Petitioners/Accused 1 to 3

Vs.

The State
Represented by Inspector of Police,
All Women Police Station,
Srivilliputhur.

...Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records in Crl.M.P.No.6440 of 2017 in C.C.No.22 of 2011 on the file of the Judicial Magistrate No.II, Srivilliputhur and quash the same and permit the petitioners to cross examine the witnesses PW1 to PW6.

For Petitioners : Mr.S.C.Herold Singh

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed aggrieved by the dismissal of the application filed by the petitioners' under Section 311 of Cr.P.C., to recall P.W.1 to P.W.6 and to cross-examine them.

2.The Court below while considering the application has taken into account the conduct of the petitioners in filing the petition after nearly 4 ½ years after P.W.1 to P.W.6 were examined in chief by the prosecution. The Court below has also relied upon the judgment of the Hon'ble Supreme Court, wherein the Hon'ble Supreme Court had directed the trial in all criminal cases to be conducted on a day to day basis. This Court does not find any illegality or infirmity in the order passed by the Court below.

3.It is seen from records that the petitioners are facing charges in the offence under Sections 294(b), 498A, 406 and 109 I.P.C and Section 4 of the Dowry Prohibition Act.

