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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
Crl OP[MD]Nos. 22479 & 22480 of 2018

Varadharajan : Petitioner/Petitioner/Accused
in both
the Petitions.

Vs.

State represented by
The Deputy Superintendent of Police,
CBI : SPE : ACB,
Chennai.

: Respondent/Respondent
/Complainant in both
the Petitions.

PRAYER in Crl.O.P. (MD) No. 22479 of 2018 : Criminal Original
Petition is filed under Section 482 of Cr.P.C, to set aside the
order of the II Additional District and Sessions Court for CBI
Cases, Madurai, dated 01.11.2018 made in Crl.M.P. No.1957 of 2018 in
C.C.No.6 of 2010 and to direct the learned II Additional District
and Sessions Judge for CBI Cases, Madurai, to recall the witness
P.W.24 to P.W.28, P.W.33 and P.W.38, for cross examination.

PRAYER in Crl.O.P. (MD) No. 22480 of 2018 : Criminal Original
Petition is filed under Section 482 of Cr.P.C, to set aside the
order of the II Additional District and Sessions Court for CBI
Cases, Madurai, dated 01.11.2018 made in Crl.M.P. No.2378 of 2018 in
C.C.No.6 of 2010 and to direct the learned II Additional District
and Sessions Judge for CBI Cases, Madurai, to recall the witness
P.W.62 to P.W.64, for cross examination.

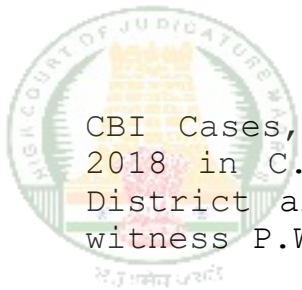
For Petitioner : Mr.B. Jeyakumar in both Petitions.

For Respondent : Mr.N.Nagendiran,
Special Public Prosecutor
for CBI Cases in both Petitions.

COMMON ORDER

Crl.O.P. (MD) No. 22479 of 2018 has been filed seeking, to set
aside the order of the II Additional District and Sessions Court for
CBI Cases, Madurai, dated 01.11.2018 made in Crl.M.P. No.1957 of
2018 in C.C.No.6 of 2010 and to direct the learned II Additional
District and Sessions Judge for CBI Cases, Madurai, to recall the
witness P.W.24 to P.W.28, P.W.33 and P.W.38, for cross examination.

<https://hcservices.ecourts.gov.in/hcservices/>
Crl. O.P. (MD) No.22480 of 2018 has been filed seeking, to set
aside the order of the II Additional District and Sessions Court for



CBI Cases, Madurai, dated 01.11.2018 made in CrI.M.P. No.2378 of 2018 in C.C.No.6 of 2010 and to direct the learned II Additional District and Sessions Judge for CBI Cases, Madurai, to recall the witness P.W.62 to P.W.64 for cross examination.

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2. This Court by an order dated 21.12.2018 directed the petitioner to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) in both the Criminal Original Petitions, to the credit of the Registry, attached to this Bench.

3. In view of the above condition, the respondent Police is directed to produce P.W.24 to P.W.26 on 02.01.2019, P.W.27, P.W.28, P.W.33 and P.W.38 on 03.01.2019 and P.W.62 to P.W.64 on 04.01.2019 before the trial Court and the trial Court is directed to complete the cross examination of the above said prosecution witnesses as on the above mentioned dates without fail and proceed the case further in accordance with law.

4. The learned Special Public Prosecutor would submit that they are ready to produce the witnesses before the trial Court as directed by this Court. The parties are directed to extend their co-operation for completion of the cross examination as mentioned above and they also assured that they would extend their co-operation.

5. If, for any reason, the petitioner fails to cross examine the witnesses on the dates mentioned above, he will lose his opportunity to cross examine them again.

6. The Registry is directed to transmit the deposited amount of Rs.50,000/- to the credit of CC No.6 of 2010 on the file of the II Additional District Court for CBI Cases, Madurai. After completion of the cross examination of witnesses and after paying the witnesses as per rule, from the deposited amount, the petitioner is permitted to withdraw the remaining amount, if any. In case, the petitioner does not comply with the above conditions, he will not be entitled to withdraw the balance amount and the same will be remitted to the Government.

7. With the above directions, the criminal original petition is disposed of.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-III)

To

<https://hcservices.ecourts.gov.in/hcservices/>

1. The II Additional District Court for CBI Cases,
Madurai.



2. The Deputy Superintendent of Police,
CBI : SPE : ACB,
Chennai

3. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+2cc to Mr.B.JEYAKUMAR, Advocate, SR.No.101836 , 101837

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22480 of 2018
21.12.2018

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KK/SKN/SAR-3/24.12.2018/3P-6C