

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.9164 of 2019
and Crl.M.P.No.4850 of 2019

Karthick

... Petitioner
Vs.

State rep. by
The Inspector of Police,
All Women Police Station,
Palladam,
Tiruppur District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 20.03.2019 passed in Crl.M.P.No.125 of 2019 filed in Spl.S.C.No.14 of 2018 by the learned Magalir Judge, Tiruppur.

For Petitioner : Mr.K.S.Kaviarasu

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

O R D E R

This Criminal Original Petition has been filed seeking to set aside the order dated 20.03.2019 passed in Crl.M.P.No.125 of 2019 filed in Spl.S.C.No.14 of 2018 by the learned Magalir Judge, Tiruppur.

2.The petitioner is facing trial before the learned Magalir Court Judge, Tiruppur for an alleged offences committed under Section 7 and 8 of POSCO Act of 2012 in S.C.No.14 of 2018. The trial has commenced and PW1 & PW2 were already examined. Under such circumstances, the petitioner filed Crl.M.P.No.125 of 2019 before the Court of Magalir Neethimandram, Thiruppur, to re-open the case.

3. It is seen that the petitioner has filed a petition in Crl.M.P.No.125 of 2019 before the Court of Magalir

Neethimandram, Thiruppur to re-open the case for his defence side witnesses. Considering the facts and circumstances of the case the petitioner may be given one more opportunity to defence this case by producing the defence side witnesses. Therefore, the order passed in Crl.M.P.No.125 of 2019 filed in Spl.S.C.No.14 of 2018 by the learned Magalir Judge, Tiruppur is set aside.

4.The petitioner is permitted to let evidence on his side. Therefore, the trial Court is directed to permit the petitioner to let evidence on his side on the date fixed by the trial Court. If the petitioner fails to examine his witnesses, the trial court is directed to proceed with the case in accordance with law.

5. In the result, this Criminal Original Petition is allowed. Consequently connected Miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rri/ssr

To

1. The Judge, Mahalir Neethimandram,
(Fast Track Mahila Court), Tiruppur.
- 2.The Inspector of Police,
All Women Police Station,
Palladam,
Tiruppur District.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.K.S.Kaviarasu, Advocate Sr.No.32502

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CSL/08.04.2019