

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 15.04.2019

CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10122 of 2019

1.Karthik
2.Chandru @ Chandirababu
3.Elangovan
4.Stalin
5.Jayasakthirajan

..Petitioners

Vs.

State rep. by
The Station House Officer,
Killai Police Station,
Cuddalore District.
Crime No.268 of 2016.

..Respondent

Prayer:Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order in Crl.M.P.No.57 of 2019 in S.C.No.127 of 2017 dated 12.03.2019, on the file of Additional District and Sessions Judge, Chidambaram, so far the petitioners are concerned and permit the petitioners to deposit a sum of Rs.7,500/- the batta fixed by the trial Court within reasonable time to recall P.W.1,P.W.3 to P.W.5, P.W.7 to P.W.11, P.W.14 to P.W.16, P.W.18 and P.W.20 .

For Petitioners : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to set aside the order dated 12.03.2019 passed in Crl.M.P.No.57 of 2019 filed in S.C.No.127 of 2017 by the learned Additional District and Sessions Judge, Chidambaram.

2.These petitioners are facing trial before the learned Additional District and Sessions Judge, Chidambaram, for an alleged offence committed under Section 311 Crpc in S.C.No.127 of 2017. The trial has been commenced and PW1 to PW20 were already examined and they were not cross examined by the accused. The accused wants to cross examine the witnesses and also ready to pay batta for cross examination. Under such circumstances, the petitioner filed Crl.M.P.No.57 of 2019 before the Court of Additional District and Sessions Judge,

Chidambaram, which was allowed in respect of P.W.1, 3 to 5, 7 to 11, 14 to 16, 18 to 20 with condition to deposit witness batta of Rs.7,500/- on or before 19.03.2019, failing which the petition will be dismissed. Hence, the petitioners have filed the present petition with the aforesaid prayer.

3. Without going in to the merits of the case, the petitioners are directed to deposit a sum of Rs.7,500/- (Rupees seven thousand and five hundred only) as directed by the trial court on or before 23.04.2019 and cross examine the witnesses. The trial court is directed to post the matter on 24.04.2019, for cross examining all the witnesses.

4. With the above direction this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

rri

To

1. The Station House Officer,
Killai Police Station,
Cuddalore District.
Crime No.268 of 2016.
2. The Additional District and Sessions Judge, NO.II,
Chidambaram.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sankarasubbu, Advocate, S.R.No.36662

CrI.O.P.No.10122 of 2019

SPD (CO)

RRS (16/04/2019)

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