

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18581 of 2019

1. Ganesan

2. Arumugam

...Petitioners/Accused 2 & 4

Vs.

State, represented by
The Inspector of Police,
Singarapet Police Station,
Krishnagiri District.
(Crime No.115 of 2013)

...Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the impugned order passed by the Court of Sessions Judge, Fast Track Court, Mahila Court, Krishnagiri in Crl.M.P.No.277 of 2019 dated 11.06.2019 to imposed cost of Rs.4000/- on the petitioners is illegal to secure the ends of justice.

For Petitioners : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed challenging the order passed by the Court below allowing the application filed by the petitioners under Section 311 of Cr.P.C. to recall PW1, PW4 to PW11 and PW14 to PW16 for cross-examination, by imposing a cost of Rs.4,000/-

2. Heard, the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

3. This Court does not find any ground to interfere with the cost imposed by the Court below and the Court below is perfectly

right to imposing the cost as a condition for recalling the witnesses.

4. In the result, this Criminal Original Petition is dismissed and the petitioners are granted time to pay the cost imposed by the Court below on or before 22.07.2019. It is made clear that, if the petitioners do not pay the cost within the time stipulated by this Court, the order recalling the witnesses for cross-examination shall stand dismissed automatically, without any further reference to this Court.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Singarapet Police Station,
Krishnagiri District.
2. The Public Prosecutor,
High Court, Madras.
3. The Sessions Judge,
Fast Track Court,
Mahila Court,
Krishnagiri.

+1cc to Mr.R.Sankarasubbu, Advocate sr.60835(17/07/2019)

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nr 15/07/2019

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