

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20876 of 2019

Rajasekar

... Petitioner

Vs.

State rep by,
Inspector of Police,
W-6, All Women Police Station,
Ayanavaram,
Chennai 600 023.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 25th July 2019 passed in Crl.M.P.No.9662 of 2019 in S.C.No.407 of 2018 on the file of the Sessions Judge, Mahila court, Chennai.

For Petitioner : Mr.Venkateswarulu

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

O R D E R

This petition has been filed against the order passed by the Court below dismissing the application filed by the petitioner for recalling P.W.21 and P.W.22 for cross examination.

2.The petitioner is facing trial before the Court below for an offence under Sections 341, 342, 328, 376(AB), 376(DB) IPC and Sec.6, 10 & 12 of POCSO Act 2012. The prosecution had examined P.W.21 and P.W.22 who are the Doctor and Forensic Expert. P.W.21 was cross examined by all the accused persons and the petitioner has also cross examined P.W.21. P.W.22 did not support the case of the prosecution and therefore all the accused persons have stated that they are not cross examining P.W.22.

3.Subsequently, the petition came to be filed by the petitioner to recall these two witnesses since the Senior Counsel wants to cross examine these witnesses.

4.Heard the learned Counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing on behalf

of the respondent police.

5.This Court does not find any illegality or infirmity in the order passed by the Court below and the Court below has given cogent reasons for dismissing the petition and there is no ground to interfere with the same.

6.In the result, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

jas/vs

To

1. The Sessions Judge,
Mahila Court/Special Court for
Cases under POCSO Act Cases, Chennai.
- 2.The Inspector of Police,
W-6, All Women Police Station,
Ayanavaram,
Chennai 600 023.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Venkateswarulu, Advocate SR.No.66192

Cr1.O.P.No.20876 of 2019

SPD (CO)
GMY (29/08/2019)

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