

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

Crl.O.P.No.25978 of 2019
and
Crl.M.P.No.13818 of 2019

A.Aruldass

...Petitioner

Vs

The Special Public Prosecutor
Mahila Court,
Coimbatore.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to set aside the order passed in C.M.P.No.303 of 2019 in S.C.No.198 of 2016 before the learned Sessions Judge, Magalir Neethimandram (Mahila Court), Coimbatore.

For Petitioner : Mr.V.Purushothaman

For Respondent : Ms.Saratha Devi.V
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed to set aside the order passed in C.M.P.No.303 of 2019 in S.C.No.198 of 2016 before the learned Sessions Judge, Magalir Neethimandram (Mahila Court), Coimbatore.

2. The petitioner herein has been implicated for offences including the offence under POSCO Act. The petitioner's application under Section 311 of Cr.P.C. has been rejected on the ground that the victim girl has already been cross examined in detail. While that being so, there is no justification on the part of the petitioner herein, to seek for further cross examination, particularly in view of the fact that Section 33 (5) of the POSCO Act envisages that the victim girl should not be called repeatedly to testify in the court. As such, I do not find any infirmity in the order passed by the trial Court.

3. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

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Sub Assistant Registrar

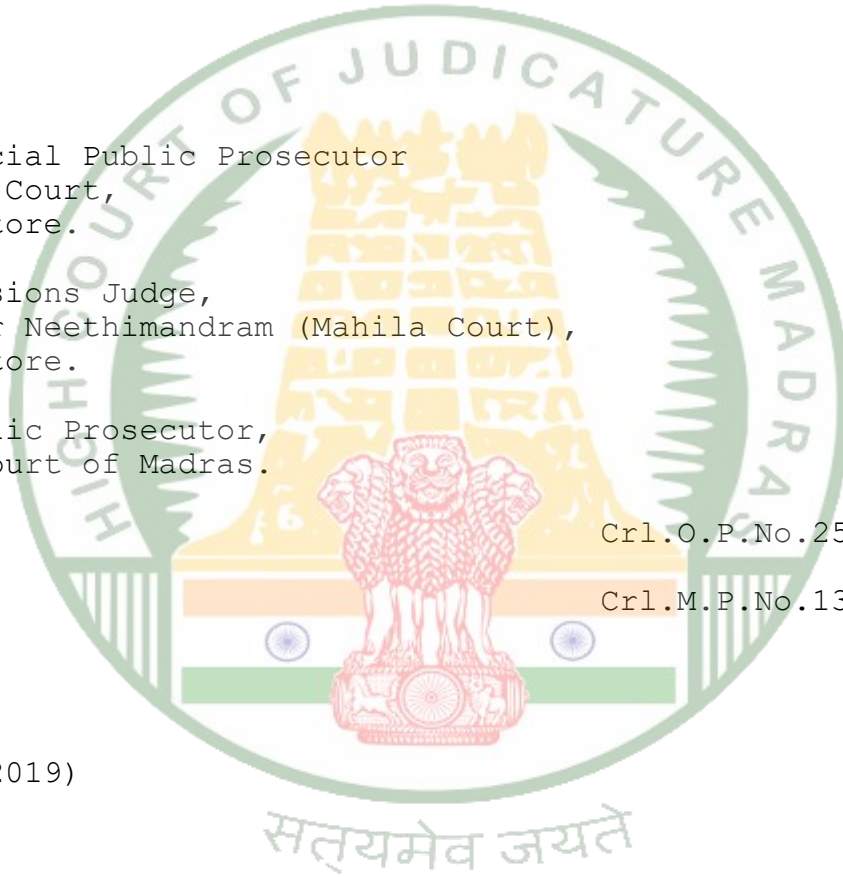
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To

- 1.The Special Public Prosecutor
Mahila Court,
Coimbatore.
- 2.The Sessions Judge,
Magalir Neethimandram (Mahila Court),
Coimbatore.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25978 of 2019
and
Crl.M.P.No.13818 of 2019

CP(CO)
GN(27/11/2019)



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