



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.5261 OF 2020

AND

CRL.M.P.NO.3002 OF 2020

1. M.Mohsin Khan
2. Kuloper Begam
3. M.Barvin Banu

... Petitioners

Vs.

1. K.Sharmila Banu
2. Minor M.Amirah Gulshan
Represented by mother and Natural Guardian
K.Sharmila Banu,
W/o M.Mohsin Khan
3. Minor Amid Muhammad
S/o M.Mohsin Khan
Represented by mother and Natural Guardian,
K.Sharmila Banu
W/o M.Mohsin Khan

... Respondents

PRAYER:

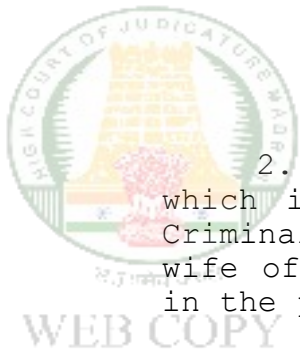
Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 25.02.2020 and made in Crl.M.P.No.60 of 2020 in DVC.No.364 of 2017 on the file of Additional Mahila Court, Egmore, Chennai.

For Petitioners : Mr.N.A.Nissar Ahmed

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 25.02.2020 and made in Crl.M.P.No.60 of 2020 in DVC.No.364 of 2017 on the file of Additional Mahila Court, Egmore, Chennai.



2. Thereby, challenging the dismissal of the above CrI.M.P which is filed by the petitioner/husband under Section 311 of Criminal Procedure Code by the petitioner/husband against the wife of the petitioner in Domestic Violence Case which is filed in the year 2017.

3. On the side of the petitioner, she was examined as PW1 on 20.11.2018 itself and were marked Exs.P1 to P9, after several adjournments, finally on 05.09.2019, the petitioner cross examined the PW1. Thereafter, the case was posted for proceedings under Section 311 of Cr.P.C. It is also now posted for arguments. At this stage, the petitioner has filed a petition to recall PW1 under Section 311 of Cr.P.C. to cross examine.

4. Further admittedly today this petition is posted for arguments and the petitioner has filed recall petition only to drag on proceedings and nothing else.

5. Therefore, this Court is not inclined to set aside the order dated 25.02.2020. Accordingly, this Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dua

To

The Additional Mahila Court,
Egmore, Chennai.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No.20302

CrI.O.P.No.5261 of 2020

RK(CO)
CS/14/07/2020