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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM:

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No. 501 of 2022

and

Crl.M.P.No. 5088 of 2022

1.Saravanan

2.Sasikala

...Petitioners/Accused

Versus

State by

The Inspector of Police,
W-8, Thirumangalam AWPS,
Thirumangalam,
Chennai - 101.

...Respondent

Criminal Revision Case filed under Section 397 read with Section 401 of Cr.P.C., to call for the records pertaining to the impugned order dated 30.03.2022 passed by the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai in M.P.No. 32 of 2022 in S.C.No. 518 of 2018 and to set aside the same.

For Petitioners: Mr.N. Hariharan Nair

For Respondent : Mr.S. Vinoth Kumar
Government Advocate (Crl Side)

ORDER

It is seen that in respect of the order dismissing the application to recall the witnesses under Section 311 of the Criminal Procedure Code, it has already been held by the Hon'ble Supreme Court in the case of Sethuraman v. Rajamanickam, reported in (2009) 5 SCC 153 that the said order is interlocutory action and the Revision is not maintainable.

2.In that view of the matter, the Revision is dismissed as not maintainable, with liberty to the petitioners to approach



before the appropriate Court for getting appropriate remedy. Consequently, connected Criminal Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Special Court for Exclusive Trial
of Cases under POCSO, Chennai.
2. The Inspector of Police,
W-8, Thirumangalam AWPS,
Thirumangalam,
Chennai - 101.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Jaisivaramaraj, Advocate, S.R.No.38766

Cr1.R.C.No. 501 of 2022

MG(CO)
RGA(05/07/2022)