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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.22201 of 2021

Natarajan

...Petitioner/Accused

Vs

The Sub Inspector of Police,
Irumbulikulurichi Police Station,
Ariyalur District.

...Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to set aside the order passed in Crl.M.P.No.07 of 2019 in Spl.S.C.No.23 of 2018 dated 25.02.2019 on the file of the Fast Track Mahila Court, Ariyalur.

For Petitioner : Mr.R.Jayaprakash

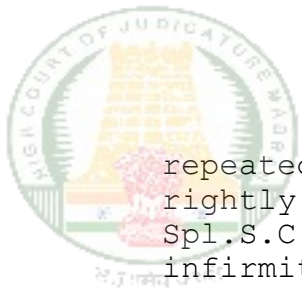
For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

ORDER

The petitioner has been filed this petition to set aside the order passed by the Fast Track Mahila Court, Ariyalur in Crl.M.P.No.07 of 2019 in Spl.S.C.No.23 of 2018 dated 25.02.2019.

2.The petitioner is accused and he has been charged for the offence under Section 366 (A) & 343 of IPC r/w 5(a)(i), Protection of Child from Sexual offence Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006. On the side of the prosecution, they examined witness P.W.1 and P.W.2 and also cross examined by the petitioner. Further the petitioner again filed a petition before the trial Court under Section 311 of Cr.P.C to recall P.W.1 and P.W.2 for cross examination on the ground that P.W.1 and P.W.2 were cross examined by Junior counsel. The trial Court dismissed the petition for cross examination of P.W.1. As far as P.W.2 is concerned the petition was allowed on payment of cost.

3.P.W.1 is the victim girl and she should not be called



repeatedly for cross examination. Therefore, the trial Court rightly dismissed the petition in CrI.M.P.No.07 of 2019 in Spl.S.C.No.23 of 2018. Hence, this Court does not find any infirmity in the order passed by the trial Court.

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4. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

pbl

To

1. The Sub Inspector of Police,
Irumbulikurichi Police Station,
Ariyalur District.
2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.R.Jayaprakash, Advocate, S.R.No.32877

CrI.O.P.No.22201 of 2021

SJ(CO)
RGA(30/06/2022)