



CRL OP(MD). No.18051 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 07/10/2022

Coram:

The Hon`ble Mrs.Justice T.V.THAMILSELVI

**CRL OP(MD). No.18051 of 2022
and
Crl.M.P(MD)No.12043 of 2022**

- 1.Vinayagam
- 2.Ulaganathan
- 3.Sivasubramaniyan
- 4.Sudalai
- 5.Muthukumar
- 6.Subramaniyan
- 7.Santhanam
- 8.Sivan Shet
- 9.Mari Raj
- 10.Pitchaiah
- 11.Veldurai
- 12.Karrubiah
- 13.Ramesh
- 14.Pandaram
- 15.Manivel
- 16.Kalaivanan
- 17.Muthu Raj

... Petitioners/Accused Nos.1 to 17

Vs.

**The State represented by
The Inspector of Police,
Pappakudi Police Station,
Tenkasi District.**

... Respondent/Complainant



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PRAYER :-Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records pertaining to the order dated 23.09.2022 in CrI.M.P.No.441 of 2022 in S.C.No.674 of 2016 on the file of the Additional District and Sessions Judge (FTC), Tenkasi, and to set aside the same.

For Petitioners : Mr.V.Kathirvelu
for Mr.K.Prabhu

For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to set aside the order dated 23.09.2022 in CrI.M.P.No.441 of 2022 in S.C.No.674 of 2016 on the file of the Additional District and Sessions Judge (FTC), Tenkasi,

2.Heard the learned counsel for the petitioners, the learned Additional Public Prosecutor appearing for the respondent.

3.The learned counsel appearing for the petitioners states that the petitioners/accused have filed a petition in CrI.M.P.No.441 of 2022 before the Additional District and Sessions Judge(FTC), Tenkasi, to



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cross examine P.W.5 to P.W.8 and the same was dismissed by the trial Court. Challenging the same, the present criminal original petition is filed.

4.Due to temple festival, to avoid law and order problem, the adjournment was sought for and their absence are neither wanton nor wilful. Since it is a case of 302 IPC, the petitioners shall be given due opportunity to prove the defence by examining the witnesses.

5.In view of the above, the order passed in CrI.M.P.No.441 of 2022 in S.C.No.674 of 2016 on the file of the Additional District and Sessions Judge (FTC), Tenkasi, is set aside and the petitioners are directed to co-operate with the trial proceedings.

6.Accordingly, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

07.10.2022

Index:Yes/No
Internet:Yes/No

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T.V.THAMILSELVI,J

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Ns/Sn

To

1. The Additional District and Sessions Judge (FTC),
Tenkasi.
2. The Inspector of Police,
Pappakudi Police Station,
Tenkasi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.18051 of 2022

Date : 07/10/2022