



Crl.O.P.No. 9744 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 9744 of 2023

Saranraj

...Petitioner

Vs.

State represented by
Inspector of Police
Sethiyathope Ps,
Crime No. 509 of 2010

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed in Crl.M.P.No.995 of 2023 and Learned Judicial Magistrate, I Chidambaram to allow the petition filed under Section 311 of Cr.Pc in CC.No.58 of 2021 and pass orders.

For Petitioner : Mr.B. Mahendra Naidu
For Respondent : Mr.S. Santhosh
Govt. Advocate(Crl Side)



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ORDER

This petition has been filed to set aside the order passed in Crl.M.P.No.995 of 2023 and Learned Judicial Magistrate, I Chidambaram to allow the petition filed under Section 311 of Cr.Pc in CC.No.58 of 2021 and pass orders.

2. The case of the petitioner is that he is a sole accused and the prosecution had examined P.W.1 to P.W.5 in the year 2011 itself. P.W. 7 was examined on 16.02.2023. The learned counsel for the petitioner who appeared before the Trial Court failed to cross Examine the above witness. Hence the petitioner has filed this petition to permit him to cross examine the above witness to substantiate the case.

3. On perusal of records it is seen that the petitioner has filed a petition for cross examination after a lapse of 12 years. That apart even the petitioner was not present before the Trial Court for so many hearings.



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4. In view of the above, the prayer sought for by the petitioner cannot be granted by this Court at this stage. Accordingly, this petition is dismissed. However the learned Trial Judge is directed to complete the Trial within a period of three months from the date of receipt of a copy of this order.

04.05.2023

Internet: Yes

Index: Yes/No

Speaking/non-speaking order
smn

To

1. The Inspector of Police
Sethiyathope Ps,

2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

smn

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