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Crl.O.P.No.19194 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19194 of 2023

and

Crl.M.P.No.12914 of 2023

Ayyappan
S/o/Mani

.. Petitioner

Vs.

The State by Inspector of Police,
Jeyamkondam AWPS,
Ariyalur.
Crime No.9/2021.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to set aside the order passed by Fast Track Mahila Court, Ariyalur, in Crl.M.P.No.171/2023 dated 29.03.2023.

For Petitioner : Mr.X.Selvam Sounder

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to set side the order passed by the Court below in Crl.M.P.No.171/2023 dated 29.03.2023 dismissing the application filed u/s.311 Cr.P.C. to recall PW-1 to PW-11 for further cross-examination.

2. Heard Mr.X.Selvam Sounder, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The petitioner is facing trial before the Court below for offences u/s.5(1) r/w 6 of POCSO Act and Section 3(1)(w)(i) of the SC/ST (POA) Amendment Act, 2015. The prosecution had examined PW-1 to PW-11 and the petitioner had also cross-examined these witnesses. The case was at the stage of defence evidence and at this stage, the present petition came to be filed.

4. The Court below has considered the claim made by the petitioner in detail and found that the petitioner has clearly and exhaustively cross-



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examined the witnesses and therefore, there is absolutely no ground to once again cross-examine all these witnesses. The reasoning given by the Court below does not suffer from any illegality or infirmity and does not require the interference of this Court.

Accordingly, this Criminal Original Petition is dismissed.

25.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

- 1.The Fast Track Mahila Court,
Ariyalur.
- 2.The Inspector of Police,
Jeyamkondam AWPS,
Ariyalur.
- 3.The Public Prosecutor
High Court of Madras,
Madras.



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N.ANAND VENKATESH, J

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