



Crl.O.P.(MD)No.10336 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.06.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.10336 of 2023

Algis Amalraj

... Petitioner/Respondent/
Sole Accused

Vs.

The State rep by
The State through the
Inspector of Police,
Veeravanallur Police Station,
Tirunelveli.
(Crime No.35/2018)

... Respondent/Petitioner/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the order passed in Crl.M.P.No.783 of 2023 in S.S.C. No.72 of 2019 of the file of the learned Sessions Judge, Special Court for POSCO Cases, Tirunelveli and to set aside the same.

For Petitioner : Mr.K.Navaneetha Raja

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

ORDER

This Criminal Original Petition has been filed to call for the records pertaining to the order passed in Crl.M.P.No.783 of 2023 in S.S.C. No.72 of 2019 of the file of the learned Sessions judge Special Court for POSCO Cases, Tirunelveli and to set aside the same.



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2. The prosecution has filed a legal application under Section 311 of Cr.P.C to recall P.W.3, 9 to 13 for further examination, that was allowed. Challenging the above said order, this petition has been filed.

3. It is brought to the notice of this Court that P.W.40 was already recalled and document yet to be marked through him.

4. According to the learned counsel for the petitioner, there is no necessity for trial Court to recall the victims once again for marking the above said documents. In the mean time, the present petition has been filed by the prosecution. For the very same relief, two applications have been filed by the prosecution. One for recalling P.W.40 and another for recalling of these victims.

5. Recording the submission made by the learned counsel for the petitioner, if any necessity arises, the prosecution may proceed for recalling the above said victims namely P.W.3, 9 to 13 and if there is no necessity, they can close the examination of the above said victims by examining and marking the documents through P.W.40.



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6. With the above said direction, this Criminal Original Petition stands closed.

23.06.2023

Index : Yes/No
Internet: Yes/No
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To

- 1.The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

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