



Crl.M.P.No.18019 of 2023
in Crl.OP.No.29371 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.M.P.No.18019 of 2023
in
Crl.OP.No.29371 of 2022

Thavasi
S/o.Murugan

... Petitioner

vs.

The State represented by
Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
Crime No.1328 of 2021

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 482 of the Code of Criminal Procedure praying to extend the time to recall and cross-examine the victim girl in compliance with the order dated 08.08.2023 made in Crl.O.P.No.29371 of 2022.

For Petitioner : Mr.D.R.Arun Kumar

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This petition has been filed seeking for extension of time to cross-examine PW-1 [victim girl].

2. Heard Mr.D.R.Arun Kumar, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. This Court while passing the order in Crl.O.P.No.29371 of 2022, dated 08.08.2023, had directed that PW-1 [victim girl] to be recalled and cross-examined on 28.09.2023.

4. According to the petitioner, the order copy itself was made ready only on 05.10.2023 and it was issued on 06.10.2023. In view of the same, the petitioner was not in a position to recall and cross-examine PW-1 [victim girl] on 28.09.2023 as directed by this Court. In view of the same, the present petition has been filed seeking to extend the time to recall and cross-examine PW-1 [victim girl].



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5. Learned Additional Public Prosecutor submitted that the trial in this case stands posted on 29.01.2024 for further cross-examination of the investigation officer.

6. On 29.01.2024, PW-1 [victim girl] shall also be recalled by the Court below and cross-examination on the side of the petitioner shall be completed on the same day. It is made clear that no further extension of time will be granted in this case. If the petitioner fails to cross-examine PW-1 [victim girl] on the date of her appearance before the Court below, the petitioner will loose his right to recall PW-1 [victim girl] at a later point of time.

This Criminal Miscellaneous Petition is disposed of in the above terms.

02.01.2024

Note to office: Issue order copy by 03.01.2024

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
gm



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N. ANAND VENKATESH., J

gm

To

- 1.The Sessions Judge,
Magalir Neethimandram,
Tiruppur/Fast Track Mahila Court,
Tiruppur.
- 2.The Inspector of Police,
Tiruppur North Police Station,
Tiruppur District.
Crime No.1328 of 2021
- 3.The Public Prosecutor,
High Court of Madras,
Madras.

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