

ORDERS ON APPLICATION FILED BY THE ACCUSED
UNDER SECTION 311 OF Cr.P.C.

This is the case in which the police have filed charge sheet against the accused for the offence punishable under Section 302 of I.P.C. and when the trial was going on the accused has filed the present application under Section 311 of Cr.P.C. seeking to Re-call CW.1, CW.5, CW.6, CW.11, CW.10, CW.25 and CW.12 who are examined as PW.1, PW.4 to 7, PW.17 and 18 contending that due to ill-health of his Advocate and lack of information these witnesses are not cross-examined by the counsel for accused. Hence, he filed the present application.

2. To this application the learned Public Prosecutor filed objection stating that, the reasons stated in the application are not valid, already all the witnesses are examined and only examination of CW.16 is pending, the application is filed only to drag the matter. Hence, same is liable to be rejected.

3. Heard the arguments. Perused the records.

4. On perusal of the order sheet it appears that, this matter is of the year 2019 and though charges are framed on 02.12.2020 inspite of it even

after 4 years we are unable to complete the trial because of the applications filed by the accused one after another. However, in order to provide another opportunity to accused it is decided to allow the application filed by the accused under Section 311 of Cr.P.C. by imposing cost. Hence, the following;

ORDER

The application filed by the accused under Section 311 of Cr.P.C. is allowed on payment of cost of Rs.500/- each to the witnesses who are re-called and accused is directed to not to ask unnecessary adjournments.

II Addl. District & Sessions
Judge, Mysuru.

Accused present.

For FDT call on 12.08.2025.

II Addl. District & Sessions
Judge, Mysuru.