

ITEM NO.37

COURT NO.1

SECTION IIA

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1291/2007
(From the judgement and order dated 26/10/2006 in CRLRC No. 759/2006 of The HIGH
COURT OF JUDICATURE AT MADRAS)

MANIKANDAN & ORS.

Petitioner(s)

VERSUS

INSPECTOR OF POLICE, KEDAR POLICE STN.
(With appln(s) for stay and office report)

Respondent(s)

Date: 16/04/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.V. RAVEENDRAN

For Petitioner(s) Mr.V.Prabhakar, Adv.
Mr.Ramjee Prasad, Adv.
Mrs.Revathy Raghavan, Adv.

For Respondent(s) Mr.V.Kanakaraj, Sr.Adv.
Mr. V.G. Pragasam, Adv.
Mr.S.J.Aristotle, Adv.
Mr.Prabhu Ramasubramanian, Adv.

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UPON hearing counsel the Court made the following
ORDER

Heard both sides.

The petitioner-accused had sought permission to cross-examine PW-1 which was rejected by the Trial Court by the order dated 6.6.2006. The petitioner had challenged the same before the High Court unsuccessfully. In this SLP, we had stayed the further proceedings in the Sessions trial, by our order dated 16.3.2007.

But in the meanwhile, the evidence of the prosecution was closed and the

petitioner was convicted by the trial Court and he has filed an appeal before the High Court of
Judicature at Madras. In view of the said development, the petitioner submits that this SLP may
be disposed of reserving liberty to urge in the appeal, the contentions urged before this Court as
regards his right to cross-examine PW 1.

Accordingly, we dispose of the SLP, leaving open the questions raised in this petition and permitting the petitioner to urge them in the pending appeal. The High Court will consider the same uninfluenced by the impugned order dated 26.10.2006 passed in revision.

(G.V.Ramana)
Court Master

(Veera Verma)
Court Master