

ITEM NO.41

COURT NO.3

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 48856/2024

(Arising out of impugned final judgment and order dated 18-06-2024 in CRLP No. 14019/2024 passed by the High Court of Judicature at Madras)

PATTEESWARAN

Petitioner(s)

VERSUS

STATE REP BY THE INSPECTOR OF POLICE

Respondent(s)

( IA No.250740/2024-CONDONATION OF DELAY IN FILING and IA No.250741/2024-EXEMPTION FROM FILING O.T. )

Date : 08-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Pranab Prakash, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1. Since no order prejudicial to the interest of the respondent is being passed, the requirement of issuance of notice to the respondent is waived.
2. Though we do not find any error with the impugned order passed by the High Court as well as the Trial Court, in order to sub-serve the ends of justice, we direct that one more opportunity be granted to the parties so as to enable the petitioner to cross examine the witnesses.
3. It is commonly known that such strategies are being adopted by

some of the defence lawyers. One of us participated in a Conference of Judicial Officers and this difficulty was brought to the notice by the learned Trial Judges.

4. We, therefore, find it appropriate that in an event the witnesses are present and the defence counsel unnecessarily seeks an adjournment, learned Trial Judge should appoint an Amicus and direct the cross examination to proceed.

5. In the present case, we direct the learned Trial Judge to give one more opportunity to the petitioner herein to cross examine the witnesses.

6. It is made clear that on the date to be fixed the petitioner shall cross examine the said witnesses. If again adjournment is sought on the said date, the learned Judge would not grant the same and proceed in accordance with law.

7. With these observations and directions, the special leave petition is disposed of.

8. The Registrar concerned is directed to forward a copy of this order to the Registrar General of all the High Courts for taking appropriate steps.

9. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)  
DEPUTY REGISTRAR

(ANJU KAPOOR)  
COURT MASTER