

THE HIGH COURT OF ORISSA: CUTTACK

No.XI-19/2024/.....19226(30)/ Dated.....10/12/2024.....

From;

**Asanta Kumar Das,
Registrar General**

To,

The District & Sessions Judge,..... (All)

Sub: **Order dtd. 8th November, 2024 passed in Special Leave Petition (Criminal) Diary No(s). 48856/2024 titled "Patteeswaran Vrs. State Rep By The Inspector of Police" by Hon'ble the Supreme Court of India**

Sir/Madam,

With reference to the subject cited above, I am to intimate that Hon'ble the Supreme Court of India in Order dtd. 8th November, 2024 from Para-4 to 6 in SLP (Criminal) Diary No(s).48856/2024 (Patteeswaran Vrs. State Rep By The Inspector of Police) have been pleased to observe the following.

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xxx

xxx

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.*

xxx

xxx

xxx

I am therefore, directed to forward herewith a copy of the aforementioned order dtd. 08.11.2024 passed in the above case by the Hon'ble Supreme Court of India for favour of your information and to request you to communicate the same to all the Judicial Officers working within your jurisdiction for their information and guidance.

Yours faithfully,

Encl.: As above.

ASANTA
KUMAR DAS
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ASANTA KUMAR DAS
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REGISTRAR GENERAL

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

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Digital Signature
NARENDRA PRASAD
Date: 2024.11.08
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Reason:

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