



CRL OP(MD), No.2210 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.02.2026

PRESENT

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD.No.2210 of 2026

S.Premkumar

... Petitioner/Accused

Vs

1 .The Inspector of Police,
Emaneshwaram Police Station,
Ramanathapuram District.
(Crime No.54 of 2013)

...1st Respondent/Complainant

2. Kalidass

...2nd Respondent/Accused

For Petitioner : Mr.S.Premkumar
(Party-in-person)

For Respondent : Mr.S.S.Manoj
Government Advocate (Crl.Side)

PRAYER :- This Criminal Original Petition is filed under Section 528
BNSS and 482 of Cr.P.C., to direct the learned Judicial Magistrate Court,
Paramakudi to expeditiously dispose of applicants pending Section 311



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Cr.P.C & BNSS 240 petition dated 05.03.2025 in CrI.MP.No.1981 of 2025, also permit re-examination of P/W1(Premkumar) as a prosecution witness (pointing out that the Hon'ble Principal Sessions Court ordered had instructed that both parties be examined) in restored case in C.C.No. 128 of 2017 forthwith as per the Hon'ble Principal District and Sessions Court Judgement in C.A.No.20 of 2021 dated 18.11.2021 and confirmed by this Court Judgment in CRL.RC.No.355 of 2022 dated 30.07.2024.

ORDER

This petition has been filed to direct the learned Judicial Magistrate Court, Paramakudi to expeditiously dispose of applicants pending Section 311 Cr.P.C & BNSS 240 petition dated 05.03.2025 in CrI.MP.No.1981 of 2025, also permit re-examination of P/W1(Premkumar) as a prosecution witness (pointing out that the Hon'ble Principal Sessions Court ordered had instructed that both parties be examined) in restored case in C.C.No.128 of 2017 forthwith as per the Hon'ble Principal District and Sessions Court Judgement in C.A.No.20 of 2021 dated 18.11.2021 and confirmed by this Court Judgment in CRL.RC.No.355 of 2022 dated 30.07.2024.



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2. It is submitted that C.A.Nos. 16 and 20 of 2021 were disposed of by judgment dated 18.11.2021, wherein the earlier judgment and sentence were set aside and the matter was remanded to the trial Court for re-trial. Pursuant to the said order, the case is presently pending before the Judicial Magistrate Court, Paramakudi.

3. The petitioner submits that he had already filed petitions before the trial Court on 05.03.2025 seeking re-trial and also for recall and re-examination of PW1; however, the said petitions have not yet been considered. It is the contention of the petitioner that PW1 ought to be recalled and re-examined in the interest of justice. Hence, the present petition has been filed seeking a direction for the recall and re-examination of PW1.

4. Considering the limited scope of the prayer, this Court directs the Judicial Magistrate, Paramakudi, to take the petition on file, conduct the necessary proceedings, and dispose of the case as expeditiously as possible. Further, the learned Judicial Magistrate, Paramakudi, shall consider the petitioner's claim for recalling and re-examination of PW1



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in accordance with law and in light of the observations made in the
appellate judgment.

5. Accordingly, this Criminal Original Petition is disposed of.

23.02.2026

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To

1. The Principal District and Session Court,
Ramanathapuram.
2. The Judicial Magistrate Court,
Paramakudi.
3. The Inspector of Police,
Emaneshwaram Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY,J

msrm

**ORDER
IN
CRL OP(MD). No.2210 of 2026**

23.02.2026