



CrI.O.P.(MD).No.13257 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

CrI.O.P(MD)No.13257 of 2026

and

CrI.M.P(MD) No.12961 of 2026

Abdul Hakkim

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Represented by the
Inspector of Police,
Jambunathapuram Police Station,
Trichy District.

In Crime No.129 of 2019

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records of the order in CrI.M.P.No.980 of 2026 in S.C.No.22 of 2021 on the file of the III Additional District and Sessions Judge, Tiruchirapalli, dated 17.06.2026 and set aside the same and pass such further or other orders as this Court may deem fit.

For Petitioner : Mr.D.Ramesh Kumar

For Respondent : Mr.B.Arun
Counsel for State of TN (CrI.Side)



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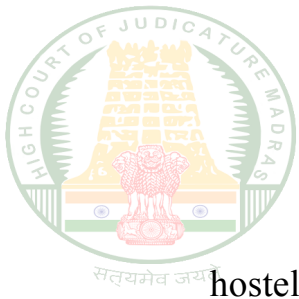
ORDER

The present petition has been filed by the sole accused in S.C.No.22 of 2021 on the file of the III Additional District and Sessions Court, Tiruchirapalli, seeking to set aside the order passed by the learned Judge by allowing an application under Section 348 of BNSS, which was filed by the prosecution.

2. The petitioner herein is charged with the offence under Section 302 of IPC.

3. A perusal of the charge sheet reveals that the petitioner is alleged to have committed murder of the hostel warden, while he was a resident of the said hostel.

4. After 19 witnesses were examined, the prosecution has filed Crl.M.P. No.980 of 2026, under Section 348 of BNSS seeking the permission of the Court to examine the present hostel warden namely Mr.Jayaprakash as an additional witness and to mark the in and out register maintained in the



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hostel.

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5. The petitioner herein had filed a counter strongly opposing the application on the ground that there is no reference about this register in the charge sheet and the said in and out register was not seized by the police while conducting investigation. It is further contended in the counter that such a document was not part of the document along with the charge sheet.

6. The trial Court after considering the submissions made on either side has proceeded to allow the application. Challenging the same, the present petition has been filed.

7. According to the learned counsel appearing for the petitioner, the in an out register said to have been maintained by the hostel was never seized at the time of investigation and now what is sought to be produced before the Court is only a copy of the said document and not the original. He further submitted that already L.W.1, who is the hostel warden is a list witness and now they are finding to misconceive witness Mr.Jayaprakash.

8. Heard the learned counsel appearing for the petitioner and perused



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the materials available on record.

9. As far as the in and out register maintained by the hostel is concerned, there is a specific reference with regard to L.W.31 in the charge sheet. The said register is sought to be introduced by way of additional document during trial. L.W.31 is being substituted by the present warden and therefore, this Court does not find any reason to interfere with the said order. However, the petitioner has raised strong objection with regard to the genuineness and with regard to the copy of the register sought to be marked as in and out register in the trial.

10. It is needless to point out that the evidentiary value of the document can be raised by the petitioner when an attempt is being made by the prosecution to mark the said document.

11. With the above said liberty, this Criminal Original Petition stands disposed of. Consequently connected Miscellaneous Petition is closed.

03.07.2026

NCC : Yes/No
Index : Yes / No

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Internet : Yes / No
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To

1. The III Additional District and Sessions Court,
Tiruchirapalli,
2. The Inspector of Police,
Jambunathapuram Police Station,
Trichy District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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