



Crl.O.P.No.7192 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 13.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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1. Sundaram
2. Jayath Alagan
3. Koventhan
4. Vimal (a) Vimal Ananth
5. Bhoopalan
6. Madeswaran
7. Sakthivel
8. Raveendran (a) Ravendhar
9. Surendar

... Petitioners

Vs

The State represented by
Inspector of Police,
Mallur Police Station,
Salem District.
(Cr.No.203 of 2016)

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S., to call for the records culminating in Crl.M.P.No.416 of 2024 in S.C.No.115 of 2017 on the file of the II Additional District and Sessions Judge, Salem set aside the same.



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For Petitioners : Mr.B.Mohan

For Respondents : Mr.A.Gopinath,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed challenging the order dated 06.01.2025 in Crl.M.P. No. 416 of 2024 in S.C. No. 115 of 2017 on the file of the II Additional District and Sessions Judge, Salem, thereby dismissing the petition filed under Section 311 of Cr.P.C. to recall the evidence of PW14.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioners are arrayed as A1 to A8 and A10 in S.C. No. 115 of 2017 on the file of the II Additional District and Sessions Judge, Salem. The petitioners are facing charges under Sections 120(b), 147, 148, 341, and 302 of IPC.



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4. The prosecution had examined witnesses so far as PW1 to PW22, and at the stage of cross-examination of the Investigating Officer, the petitioners filed a petition to recall PW14 for further cross-examination. The prosecution had examined the Sub-Inspector of Police as PW14. In fact, PW14 was fully cross-examined by the accused persons.

5. After completion of the entire prosecution witnesses, now the petitioners filed the petition to recall PW14 for further cross-examination. It is nothing but only to drag on the proceedings. That apart, the case is of the year 2017. Therefore, the Trial Court rightly dismissed the petition filed by the petitioners, and this Court finds no infirmity or illegality in the order passed by the Trial Court.

6. Accordingly, this Criminal Original Petition is dismissed.

13.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
kv



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1. The Inspector of Police,
Mallur Police Station,
Salem District.
2. The II Additional District and Sessions Judge, Salem.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J,

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