



Crl.O.P.No.26072 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.26072 of 2025

Sathiya

... Petitioner

Vs.

The State Represented by
The Inspector of Police
Anaikaran Chathiram PS (AKC)
(Crime No.132 of 2019)

.. Respondent

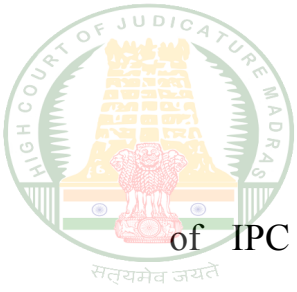
PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to call for the records and set aside the order passed in Crl.M.P.No.2604/2024 in S.C.No.11 of 2020 on the file of the learned District and Sessions Judge, Mayiladuthurai dated 28.11.2024 and direct permitting remaining below witness PW1,2,3,4,17 & 18.

For Petitioner : Mr.Karna Magarajan
For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

Challenging the order of the trial Court partly allowing the application to examine few witnesses and dismissing the application to examine main witnesses, the present petition has been filed.

2. The petitioner is facing charges under Sections 294(b), 302 & 307



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of IPC on the file of the learned District and Sessions Judge,
Mayiladuthurai. The petitioner is still in the custody even after appointment
of a legal aid counsel. When he filed an application to recall the witnesses
to cross-examine the witness, the trial court has allowed the application
only in respect of PW13, 15 and 19 and with regard to other witness, the
petition is dismissed.

3. Heard both sides and perused the materials placed on record.

4. Considering the fact that the accused was facing serious charges
and the accused was not properly defended by legal aid counsel, the order
of the Trial Court stands set aside. The Trial Court shall recall the witnesses
namely PWs 1, 2, 3, 4, 17 and 18 and fix specific days for cross
examination and the cross examination of all the witnesses shall be
conducted within a period of one week.

5. Accordingly, this petition stands allowed.

23.09.2025

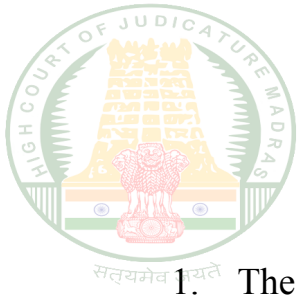
Neutral Citation: Yes/No

Internet : Yes/No

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To

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1. The District and Sessions Judge, Mayiladuthurai

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2. The Public Prosecutor,
Mayiladuthurai
3. The Inspector of Police
Anaikaran Chathiram PS (AKC)



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N. SATHISH KUMAR, J.

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