



Crl.O.P.No.11687 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 17.04.2025

CORAM:

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

Crl.O.P.No.11687 of 2025

and

Crl.M.P.No.7791 of 2025

1. Vijayaragavan
2. Sampoorani

... Petitioners

Vs

State by
Inspector of Police,
Shevapet Police Station,
Salem City.
(Cr.No.504/2017)

... Respondent

Prayer: Criminal Original Petition filed under 528 of BNSS., 2023, to set aside the order dated 21.01.2025 in Crl.M.P.No.1848 of 2024 in S.C.No.420 of 2018 on the file of the learned District and Sessions Mahila Court, Salem and consequently allow the Crl.M.P.No.1848 of 2024 in S.C.No.420 of 2018 as prayed for.

For Petitioners : Mr.M.Velan

For Respondent : Mr.A.Gopinath,
Govt. Advocate (Crl. Side)



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ORDER

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This petition has been filed challenging the order dated 21.01.2025 in Crl.M.P.No.1848 of 2024 in S.C.No.420 of 2018 on the file of the learned District and Sessions Mahila Court, Salem, thereby dismissing the petition filed to recall PW.2 to PW.6 and PW.13 to PW.17.

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

3. On a perusal of the records, it is revealed that the petitioners are accused and facing charges for the offences under Section 306 of IPC. The Sessions Case is of the year 2018. So far, the prosecution had examined PW.1 to PW.17. However, the petitioners did not cross-examine any of the witnesses. The prosecution witnesses PW.2 to PW.4 were examined in the year 2019, and PW.5 and PW.6 were examined in the year 2012. The other witnesses were examined subsequently in the year 2024. In order to give one more opportunity to put forth their defence, the petitioners may be permitted to cross-examine PW.2 to PW.6 alone.



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5. In the result, this Criminal Original Petition is partly allowed. Consequently, the connected Miscellaneous Petition is closed.

17.04.2025

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



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To

1. The Inspector of Police,
Shevapet Police Station,
Salem City.
2. The District and Sessions Mahila Court, Salem.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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