



Crl.O.P.No. 12520 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM:

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

Crl.O.P.No.12520 of 2025
and
Crl.M.P.No.8333 of 2025

Dr.P.Tennyson

..... Petitioner

Vs

1. The State of Tamilnadu rep by
The Inspector of Police,
Katpadi Police Station,
Vellore District.
(Crime No.558 of 2021)

2. N.Hephziba
3.Joyce Cristy Yagappan

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 15.04.2025 in Crl.M.P.No.934 of 2025 in C.C.No.26 of 2022 on the file of the learned Judicial Magistrate, Katpadi in the above case.

For Petitioner : Mr.P.Kannan

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



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ORDER

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This Criminal Original Petition has been filed challenging the order dated 15.04.2025 passed in Crl.M.P.No.934 of 2025 in C.C.No.26 of 2022 by the Judicial Magistrate, Katpadi, thereby dismissing the application filed to recall P.Ws.2 and 3.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent. Perused the materials available on record.

3. The petitioner is the complainant. The respondents 2 and 3 are facing trial for the offences punishable under Sections 294(b), 323, 324 and 506(i) of IPC. P.Ws. 2 and 3 were examined on 05.12.2022 and both turned hostile. However, the petitioner failed to cross examine P.Ws.2 and 3. After the arguments and before passing judgment, the petitioner filed an application seeking to recall P.Ws.2 and 3, for cross examination.

4. In view of the above, the Trial Court rightly dismissed the application filed by the petitioner. This Court finds no infirmity or



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illegality in the order dated 15.04.2025 passed in Crl.M.P.No.934 of
2025 in C.C.No.26 of 2022 by the Judicial Magistrate, Katpadi.

5. Accordingly, this Criminal Original Petition stands
dismissed. Consequently, connected miscellaneous petition is closed.

24.04.2025

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

To

1. The Judicial Magistrate,
Katpadi.

2. The Inspector of Police,
Katpadi Police Station,
Vellore District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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