



Crl.O.P.Nos.21185, 21293 & 18730 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 12.08.2025**

CORAM :

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**Crl.O.P.Nos.21185, 21293 & 18730 of 2025**

J.Sathish Kumar

... Petitioner  
in all petitions

Vs.

E.Senthilkumar

... Respondent  
in all petitions

**Prayer in Crl.O.P.No.21185 of 2025** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code and Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order dated 20.03.2025 passed by the learned VIII Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.No.947 of 2025 in S.T.C.No.674 of 2022.

**Prayer in Crl.O.P.No.21293 of 2025** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code and Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order dated 20.03.2025 passed by the learned VIII Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.No.948 of 2025 in S.T.C.No.674 of 2022.



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**Prayer in Crl.O.P.No.18730 of 2025** : Criminal Original Petition filed under Section 482 of Criminal Procedure Code and Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order dated 20.03.2025 passed by the learned VIII Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.No.949 of 2025 in S.T.C.No.674 of 2022.

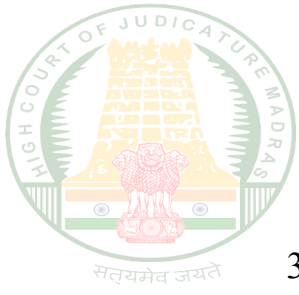
For Petitioner : Mr.H.Navas Basha  
in all petitions

For Respondent : Mr.R.C.Manoharan  
in all petitions

### **COMMON ORDER**

Challenging the orders passed by the learned VIII Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.Nos.947, 948 and 949 of 2025 in S.T.C.No.674 of 2022, dated 20.03.2025, allowing the applications filed under Section 348 BNSS to recall P.W.1 for further cross-examination, the above Criminal Original Petitions are filed.

2.The only contention of the petitioner is that the trial ended on 03.12.2024 itself and these applications have been filed only to drag on the proceedings.



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3.I have perused the impugned order of the trial Court. Though the present applications have been filed at a belated stage, the trial Court, considering the fact that the production of further documents will assist the Court to come to a proper conclusion and to give a fair chance to the accused to substantiate his case, has allowed the applications on payment of cost. In such view of the matter, this Court is not inclined to interfere with the order of the trial Court. However, the trial Court should ensure that the cross-examination should not be to fill up the lacuna in the accused's case. Cross-examination shall be confined only to the documents sought to be produced before the Court. The trial Court shall fix a date and shall ensure that the cross-examination of the witness is completed on the same day. It is made clear that, if the accused does not avail the opportunity of cross-examination on the date as fixed by the Court, the order permitting the accused to cross-examine P.W.1 shall be recalled.

4.With the above directions, these Criminal Original Petitions are disposed of.

**12.08.2025**

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Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes / No

To

1.The VIII Metropolitan Magistrate,  
George Town,  
Chennai.

2.The Public Prosecutor,  
High Court, Madras.



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**N. SATHISH KUMAR, J.**

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