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CRL OP No. 25751 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 25751 of 2025 &
Crl.M.P.No.17477 of 2025**

1. Kannan

2. John

3. Manickam

Petitioner(s)

Vs

The Inspector of Police,
RS Puram Police Station, Coimbatore.
(Crime No. 817/2016)

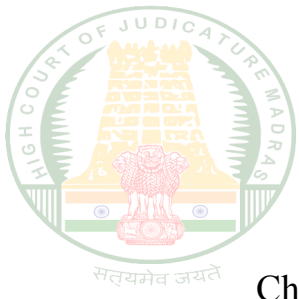
Respondent(s)

PRAYER

Criminal Original Petition filed under Sections 438 & 442 of BNSS, 2023 to set aside the impugned order dated 16.07.2025 passed by the Learned Judicial Magistrate-I, Coimbatore in C.M.P.No.3 of 2025 in C.C.No.474 of 2017 dated 16.07.2025 .

For Petitioner(s): Mr.C.Jayapal

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl.Side)



ORDER

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Challenging the Order of the trial Court dismissing the petition filed by the petitioners for cross examination of P.Ws.1 to 12, the present Criminal Original Petition has been filed.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent and perused the documents placed on record.

3. Though this Court is of the view that the order of the trial court legally does not require any interference, but the fact remains that due to the negligence conduct of the lawyer appeared for the petitioners, none of the witnesses have been cross examined. Though P.W.1 to P.W.3 have been examined on 20.10.2021, P.W.4 on 13.12.2021, P.W.5 on 17.12.2021, P.W.6 on 01.12.2022, P.W.7 and P.W.8 on 02.03.2023, P.W.9 and P.W.10 on 18.05.2023, P.W.11 on 09.10.2023 and P.W.12 on 29.04.2024, the witnesses have not been cross examined. The very criminal trial is taken in such a light manner by the lawyer,



this Court pained to note that profession of lawyer has gone to such a level without any sincerity. In order to grant one more opportunity to the parties, since their life and liberty are involved, this Court is inclined to allow this petition subject to the payment of cost.

4. Accordingly, this Criminal Original Petition is allowed on payment of cost of Rs.1,500/- to each witness, in total, the petitioners shall deposit a sum of Rs.18,000/- [Rupees eighteen thousand only] before the trial court within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the trial court shall issue notice to recall the witnesses P.Ws.1 to 12 and let the trial Court fix a date for cross examination of the said witnesses and the petitioners shall complete the cross examination within a period of three days from the date of commencement of cross examination. Consequently, connected miscellaneous petition is closed.

19-09-2025

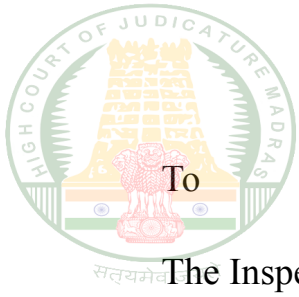
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd



CRL OP No. 25751 of 2016



To

WEB COPY
The Inspector of Police,
RS Puram Police Station, Coimbatore.
(Crime No. 817/2016)



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CRL OP No. 25751 of 2



N.SATHISH KUMAR J.

ssd

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2025**

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