



Crl.O.P.No.26096 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.26096 of 2025 & Crl.M.P.No.17734 of 2025

Manikandan

... Petitioner

Vs.

The State Represented by
The Inspector of Police
All Women Police Station
Tiruvannamalai
(Crime No.22 of 2019)

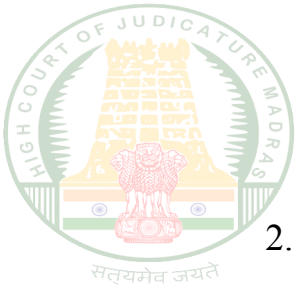
.. Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to set aside the order passed by the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruvannamalai in Crl.M.P.No.924 of 2025 dated 21.08.2025 in Spl.S.C.No.58 of 2020.

For Petitioner : Mr.S.Suresh
For Respondent : Mr.R.Vinothraja,
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to set aside the order of the Trial Court dismissing the application filed by the petitioner to cross-examine PW4.



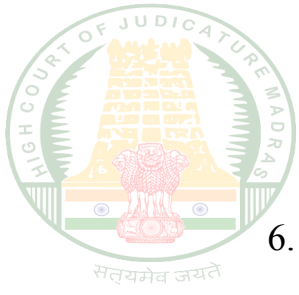
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2. According to the petitioner, the petitioner is facing serious charges under POCSO Act and IPC on the ground of alleged sexual intercourse with the minor PW4. Now, the petitioner came to know that the PW4 is major and Birth Certificate is also available, only to file that document, PW4 was sought to be cross examination.

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

4. Considering such submissions, though witnesses cannot be called repeatedly under the POCSO Act, but the fact remains that now PW4 is already attained majority and the petitioner seeks to produce the document to prove her age. Such view of the matter, this Court is of the view that one more opportunity has to be granted to the petitioner.

5. Accordingly, the impugned order dated 21.08.2025 stands quashed. The Trial Court is directed to recall PW4 and fix the cross examination on a specific day and the cross examination shall be done on the same day.



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6. Accordingly, this petition stands allowed. Consequently,

connected miscellaneous petition stands closed.

23.09.2025

Neutral Citation: Yes/No

Internet : Yes/No

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To

1. The Sessions Judge, Magalir Neethi Mandram
(Fast Track Mahila Court), Tiruvannamalai
2. The Public Prosecutor,
Tiruvannamalai
3. The Inspector of Police
All Women Police Station
Tiruvannamalai



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N. SATHISH KUMAR, J.

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