



CrI.O.P.No.27494 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.27494 of 2025

and

CrI.M.P.No.18596 of 2025

Rajeswari

... Petitioner

Vs.

The State Rep.by The Inspector of Police,
Economic Offences Wing, Vellore,
Vellore District.

... Respondent

PRAYER : Criminal Original Petition is filed under 528 of BNSS, to set aside the order passed by the Learned Chief Judicial Magistrate, Vellore, Vellore District in CrI.M.P.No.9278/2025 in C.C.No.3 of 2017 dated 06.08.2025.

For Petitioner : Mr.E.Kannadasan

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

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the Learned Chief Judicial Magistrate, Vellore, Vellore District in CrI.M.P.No.9278/2025 in C.C.No.3 of 2017, by which the petition filed by the petitioner under Section 348 of the BNSS to recall P.W.s1 to 8, P.W.12



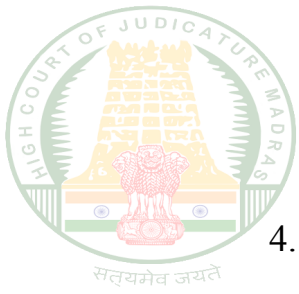
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and P.W.13 for cross-examination was dismissed on 06.08.2025.

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2. The case of the petitioner is that the prosecution was initiated based on a complaint given by one Smt.Deepa, W/o.Kumaravel, a member of Thamarai Women Self Help Group, stating that the accused persons, including the petitioner, had collected money from several Self Help Groups on the pretext of arranging loans through an organisation named Uthavum Ithayangal Sevai Niruvanam. Based on the said complaint, a case was registered in Crime No.392/2012 under Section 420 of IPC and later transferred to the respondent police and re-numbered as Crime No.2 of 2013.

3. After completion of the investigation, the respondent Police filed a final report, which was taken on file in C.C.No.3 of 2017. The prosecution examined 14 witnesses. During the course of trial, due to illness of the petitioner's counsel, certain witnesses could not be examined, and hence the petitioner filed a petition to recall P.W.1 to P.W.8 and P.W.12 and P.W.13 for cross-examination. The said petition was dismissed by the Learned Chief Judicial Magistrate on 06.08.2025.



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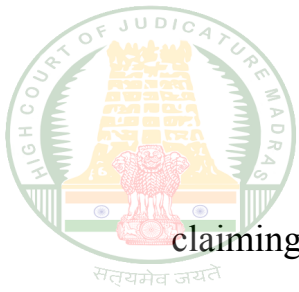
4. The learned counsel for the petitioner submitted that the petitioner is Accused No. 5 and that due to the illness of the counsel on record, cross-examination of the said witnesses could not be carried out, and an opportunity may be granted to establish her defence.

5. However, the learned Government Advocate (Crl.Side) submitted that the examination of the Investigating Officer has already been completed and the witnesses were cross-examined by the other accused. and the case is now at the final stage.

6. Heard both sides and perused the materials available on record.

7. The case is of the year 2017 and the witnesses P.W.1 and P.W.2 were examined on 21.04.2005, P.W.3 to P.W.6 were examined on 26.05.2005, P.W.7 and P.W.8 were examined on 12.06.2025, P.W.9 and P.W.10 were examined 16.06.2025. PW-11 was examined on 26.06.2005, P.W.12 and PW-13 on 03.07.2025, and PW-14 on 24.07.2025. The matter is now pending for the examination of the Investigating Officer.

8. At this stage, the petitioner has filed the present application,



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claiming that he has not cross-examined the witnesses. At the outset, this Court is of the view that filing such an application belatedly, particularly when the witnesses have already been examined by the other accused, clearly indicates an attempt to delay the proceedings further.

9. Since the charge is common for all the accused, and the witnesses have been substantially examined, no prejudice would be caused to the petitioner. Hence, this Court finds no merit in the petition.

10. Accordingly, this Criminal Original Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.10.2025

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Neutral Citation: Yes/No

To

1. The Inspector of Police,
Economic Offences Wing, Vellore,
Vellore District.
2. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.

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