



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA**CRL OP No. 29971 of 2025**

1. YESU
2. Daniel
3. Sundaramoorthy @Amose
4. Somu

Petitioner(s)

Vs

The State rep by
The inspector of Police,
Kalavai Police Station, Ranipet District.
Crime No.182 of 2014

Respondent(s)

PRAYER Criminal Original Petition filed under section 528 of BNSS to call for the entire records in connection with C.M.P.No.256 of 2024 in S.C.No.70 of 2022 on the file of the Assistant Session Judge at Ranipet District, and set aside the order dated on 25.11.2024.

For Petitioner(s): Mr.T.Saravanan

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

**ORDER**

This petition is filed to call for the entire records in connection with C.M.P.No.256 of 2024 in S.C.No.70 of 2022, on the file of the Assistant Session Judge at Ranipet District and set aside the order dated on 25.11.2024 passed therein.

2.The learned counsel for the petitioners would submit that the petitioners, who are accused 1 to 4, had filed a petition in C.M.P.No.256 of 2024 in S.C.No.70 of 2022, before the Assistant Session Judge at Ranipet District, to recall PW1 for cross-examination since some important questions were left out; however, the learned Trial Judge, without considering the same, had dismissed the petition by the impugned order; hence, they have preferred this petition.

3.Per contra, learned Government Advocate (Crl.Side) would submit that the petitioners are facing trial in S.C.No.70 of 2022; PW1, wife of the victim, was examined in chief on 07.11.2022 and the petitioners have extensively cross-examined PW1 on the same date; without any reasons and in order to protract the proceedings, they have filed a petition in C.M.P.No.256 of 2024 and the



Trial Court, finding that it has been filed only to protract the proceedings, had rightly dismissed the same as early as on 25.11.2024 and much water has flown under the bridge since then. He further submitted that the trial is at its fag end and now, the petitioners are challenging the order after one year and there is no merit in the petition and prays for dismissal of this petition.

4. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

5. It is seen that PW1 has been examined and cross-examined extensively on 07.11.2022. No reason has been assigned by the petitioners to recall PW1. Further, the petition which was dismissed on 25.11.2024, is being challenged after a period of nearly one year only to protract the proceedings which would expose the conduct of the petitioner. This Court finds no merit in the petition and accordingly, it is dismissed.

Index: Yes/No

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Speaking/Non-speaking order

Neutral Citation: Yes/No

sli



A.D.JAGADISH CHANDIRA, J.

sli

To

1.The Assistant Session Judge,
Ranipet District.

2.The Inspector of Police,
Kalavai Police Station,
Ranipet District. Crime No.182 of
2014.

3.The Public Prosecutor,
High Court, Madras.

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