



WEB COPY



CrI.O.P.No.32296 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.32296 of 2024

and

CrI.M.P.No.18498 of 2024

1. Vignesh Kannan  
2. Vinoth Kannan

... Petitioners

Vs.

State Through the Inspector of Police,  
Thiruthuraipoondi Police Station,  
Tiruvarur,  
Crime No.1184 of 2021.

... Respondent

**Prayer:** Criminal Original Petition filed under Section 528 BNSS, 2023/482 Cr.P.C., to set aside the impugned order passed in CrI.M.P.No.651 of 2024 in Special Sessions Case No.3 of 2022 pending before the learned Sessions Judge, Fast Track Mahila Court, Tiruvarur District and consequently direct the learned Sessions Judge, Fast Track Mahila Court, Tiruvarur District to recall P.W.1 and P.W.3 for cross-examination.

For Petitioner : Mr.S.Nirmal Aditya

For Respondents : Mr.S.Sugendran  
Additional Public Prosecutor



Crl.O.P.No.32296 of 2024

## **ORDER**

**WEB COPY** This Criminal Original Petition is filed to set aside the impugned order passed in Crl.M.P.No.651 and of 2024 in Spl.S.C.No.3 of 2022 pending before the learned Sessions Judge, Fast Track Mahila Court, Tiruvarur District and consequently direct the learned Sessions Judge, Fast Track Mahila Court, Tiruvarur District to recall P.W.1 and P.W.3 for cross-examination.

2. It is seen from the records that though sufficient opportunity was given to the petitioners to cross-examine P.W.1 to P.W.3, they failed to utilise the same and hence the Court below dismissed the petition in Crl.M.P.No.651 and of 2024 in Spl.S.C.No.3 of 2022. The reasons stated in the affidavit filed in support of this petition for re-calling the witnesses are not satisfactory and this Court is not inclined to entertain this petition by invoking Section 528 BNSS. Hence, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

**02.01.2025**  
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Index : Yes/No  
Neutral Citation Case : Yes/No  
Speaking Order : Yes/No  
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To

1. The Sessions Judge, Fast Track Mahila Court,  
Tiruvarur District.
2. The Inspector of Police,  
Thiruthuraipoondi Police Station,  
Tiruvarur.
3. The Public Prosecutor,  
High Court, Madras.



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**P.VELMURUGAN, J**

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