



Crl.O.P.No.31109 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 31109 of 2025

&

Crl.M.P.No. 21346 of 2025

Prabhu Srinivasan

... Petitioner

Vs.

G.Shanmuga Sundaram

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to set aside the order passed by the Judicial Magistrate (FTC), Ambattur in Crl.MP.No.773 of 2025.

For Petitioner : Mr. M.Sathiavel



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ORDER

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This criminal original petition is filed to set aside the order dated 28.10.2025 passed by the learned Judicial Magistrate (FTC), Ambattur in Crl.MP.No.773 of 2025.

2. The case of the petitioner is that he has filed a petition seeking to recall the evidence of PW1, for further examination. However, the learned Trial Judge, without taking into consideration the fact that recall and cross-examination of the *de facto* complainant is necessary for arriving a decision, dismissed the case.

3. The learned counsel for the petitioner would submit that the petitioner has failed to put certain questions to the *de facto* complainant (PW1) and therefore, the instant petition has been filed.

4. Heard the learned counsel on either side and perused the



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5. The STC is of the year 2020. The petition has been belatedly filed seeking to recall the evidence of PW1, at the time when the matter is posted for arguments and after trial has been completed. The learned Trial Judge has extensively dealt with the recall petition and dismissed the same and hence, I do not find infirmity in the order passed.

6. Accordingly, this criminal original petition is dismissed. Consequently, the connected miscellaneous petition is closed.

14.11.2025

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Neutral Citation: Yes/No

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To

1.The Judicial Magistrate (FTC),

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Ambattur.

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2.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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