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CrI.O.P.No.34295 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

CORAM:

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

CrI.O.P.No.34295 of 2025

and

CrI.M.P.No.24026 of 2025

Priyadharshini K.

... Petitioner

Vs.

Dr.S.Kapil Dev Kumar

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita to set aside the order dated 10.11.2025 passed in CrI.M.P.No.14994 of 2025 in S.T.C.No.3455 of 2025 on the file of XXV Metropolitan Magistrate, Egmore, Chennai and to reopen the defence evidence and permit the petitioner/accused to be examined as a competent witness..

For Petitioner : Mr.C.V.Kumar

ORDER

This petition has been filed seeking to set aside the order dated 10.11.2025 in CrI.M.P.No.14994 of 2025 in S.T.C.No.3455 of 2025 on the file of XXV Metropolitan Magistrate, Egmore, Chennai and to re-open the defence evidence and permit the petitioner/accused to be examined as a competent witness.



Crl.O.P.No.34295 of 2025

WEB COPY

2. The learned counsel for the petitioner would submit that the petitioner had filed a petition in Crl.M.P.No.14994 of 2025 in STC No.3455 of 2025 to examine her as defence witness, whereas the Trial Court, by order dated 10.11.2025, without giving an opportunity to the petitioner, had dismissed the petition.

3. Heard the counsel and perused the materials available on record.

4. Admittedly, the petitioner is an accused. On a perusal of records, it is seen that on 06.10.2025, the case has been posted for questioning under Section 313(1)(b) of Cr.P.C. before the Trial Court and on that day when the Court enquired, the petitioner/accused had stated that there is no evidence on the side of the defence and hence the evidence had been closed. Thereafter, the case had been adjourned to four dates viz., 10.10.2025, 20.10.2025, 24.10.2025 and 31.10.2025 and thereafter, the case had been posted for arguments. The respondent/complainant had completed his arguments on 10.10.2025 and written arguments had also been filed. The petitioner/accused had not argued the case. Subsequently, on 31.10.2025, the petitioner had filed the petition in Crl.M.P.No.14994 to re-open the

2/5



CrI.O.P.No.34295 of 2025

petitioner's side evidence. The Trial Court, finding that the petition has been filed only to protract the proceedings, had dismissed the petition.

5. Considering the above facts and circumstances of the case, I do not find any reason to interfere with the order dated 10.11.2025 in CrI.M.P.No.14994 of 2025 in S.T.C.No.3455 of 2025 passed by the XXV Metropolitan Magistrate, Egmore, Chennai. Therefore, this criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

16.12.2025

Neutral Citation: Yes/No
MRN



CrI.O.P.No.34295 of 2025

To

1. The XXV Metropolitan Magistrate, Egmore, Chennai.
2. The Public Prosecutor,
High Court of Madras.



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CrI.O.P.No.34295 of 2025

A.D.JAGADISH CHANDIRA, J.

(MRN)

CrI.O.P.No.34295 of 2025

16.12.2025