



Crl.O.P.(MD)No.9221 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.9221 of 2024

S.Muthukumar

... Petitioner / Petitioner/ Accused

-Vs-

The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.

... Respondent / Respondent/ Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order passed in Crl.M.P.No.324 of 2024, dated 26/03/2024 in Spl.S.C.No.25 of 2022 on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Thoothukudi.

For Petitioner : Mr.Perumal.M
Advocate.

For Respondent: Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

The petitioner seeks to set aside the impugned order passed in Crl.M.P.No.324 of 2024 in Spl.S.C.No.25 of 2022 on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Thoothukudi, dated



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26.03.2024, by which, the petitioner's application for recall of P.W.1 to P.W.3 was dismissed.

2. The learned counsel for the petitioner would submit that though P.W.1 to P.W.3 were cross examined earlier on 16.12.2022, the cross examination could not be done effectively; that therefore further cross examination is required; that the impugned order dismissing the petition would deny the right of fair trial to the petitioner.

3. The learned Additional Public Prosecutor, per contra, would submit that the case is now posted today for arguments; that this petition has been filed before the trial Court only to delay the proceedings; and that the witnesses have already been cross examined.

4. The victim in this case is aged about eight years. The victim has already been cross examined by the counsel for the petitioner. The case is posted for arguments today before the trial Court. Therefore, this Court is not inclined to interfere in the order passed by the trial Court, as this Court finds no infirmity in the order.



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5. Hence, this Criminal Original Petition is dismissed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

Indu/dk

To

- 1.The Inspector of Police,
All Women Police Station,
Srivaikundam,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

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