



Crl.O.P.(MD)No.15376 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15376 of 2025

1.Mayilmurugan

2.Manikandan

3.Ajith Kumar

... Petitioners

Vs.

The State of Tamilnadu,
Rep. by The Inspector of Police,
Koodankulam Police Station,
Tirunelveli District.
(In Crime No.81 of 2020)

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records and set aside the order passed by the learned IV-Additional District Judge, Tirunelveli, in Cr.M.P.No.1/2024 in S.C.No. 125/2020 dated 31.07.2025 in respect of allowing the petition filed by the respondent under Section 311 of Cr.P.C.

For Petitioners : Mr.K.Sivabalan
for M/s.Aran Legal Consultancy

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor



Crl.O.P.(MD)No.15376 of 2025

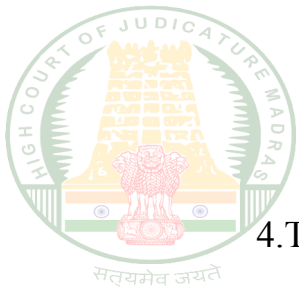
ORDER

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The petitioner has sought for setting aside the impugned order dated 31.07.2025 passed in Cr.M.P.No.1 of 2024 in S.C.No.125 of 2020 by the learned IV-Additional District Judge, Tirunelveli.

2.The petitioners are facing trial for the offences under Sections 341, 294(b) and 302 of IPC for the alleged murder of one Vijay. It appears that the wife of the deceased subsequently committed suicide and left a suicide note. The prosecution filed an application to mark the said suicide note as evidence. The petitioners objected to marking the same as evidence stating that the said document would not be relevant for the purpose of deciding the case against the petitioners and other accused; that it is not known whether the said suicide note was written by the wife of the deceased; and that hence, the said document cannot be allowed to be marked.

3.The learned IV Additional District Judge, Tirunelveli, allowed the said application stating that the admissibility of the document and the contents of the document, as to whether it is relevant or not, cannot be decided unless the same is brought on record.



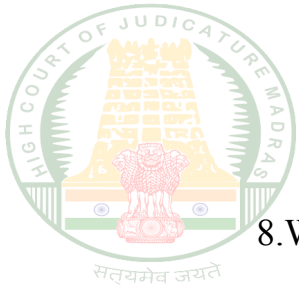
Crl.O.P.(MD)No.15376 of 2025

4.The learned counsel for the petitioners would submit that the prosecution seeks to file a totally irrelevant document prejudicing the rights of the petitioners and that since it is an inadmissible document, the said document cannot be marked.

5.The learned Additional Public prosecutor appearing for the respondent police would submit that the question of admissibility or otherwise of the document may be decided by the trial court and that the prosecution cannot be prevented from producing the document.

6.This Court has perused the impugned order as well as the suicide note which is proposed to be marked by the prosecution.

7.This Court is of the view that the prosecution cannot be prevented from bringing on record the said document. However, the admissibility of the document as well as its probative value are matters for the trial court to decide after considering the objections of the petitioners. In fact, in the impugned order, the learned Judge has observed that the document would be marked subject to admissibility. Hence, the impugned order cannot be faulted.



Crl.O.P.(MD)No.15376 of 2025

8. With the above observations, this Criminal Original Petition is
dismissed.

16.09.2025

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

To

1. The IV-Additional District Judge,
Tirunelveli,

2. The Sub Inspector of Police,
Ariyamangalam Police Station,
Tiruchirapalli.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.15376 of 2025

SUNDER MOHAN, J.

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Crl.O.P(MD).No.15376 of 2025

16.09.2025