



Crl.O.P.(MD)No.23458 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **19.12.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.O.P.(MD)No.23458 of 2025
& Crl.M.P.(MD)No.20356 of 2025

B.Ramesh @ Kaviya Ramesh

... Petitioner

Vs.

State of Tamilnadu,
Represented by
The Deputy Superintendent of Police,
Through Inspector of Police,
Karur Town Police Station,
Karur.

... Respondent

PRAYER : Petition filed under Section 528 of BNSS, 2023 to set aside the order dated 02.12.2025 in Crl.M.P.No.1936 of 2025 in SC No.17 of 2021 on the file of the learned District and Sessions Judge, Karur.

For Petitioner : Mr.K.Vinoharan

For Respondent : Mr.S.Ravi

Additional Public Prosecutor



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ORDER

This criminal original petition has been filed seeking to set aside the order dated 02.12.2025 in Crl.M.P.No.1936 of 2025 in SC No.17 of 2021 passed by the learned District and Sessions Judge, Karur.

2. The learned counsel appearing for the petitioner submitted that the petitioner herein is the fifth accused in S.C. No.17 of 2021. In the said case, the petitioner had filed an application under Section 91 of the Cr.P.C., seeking issuance of summons to the Secretary, Paramedical Wing, Indian Medical Association, Tamil Nadu Branch, to produce the true certified copies of the complete admission details of students in all nursing courses conducted by Amaravathi Nursing College, run by Amaravathi Hospital, Karur, for the academic years 2018–2019, 2019–2020 and 2020–2021, and also to depose with regard to the same. However, the trial Court dismissed the said application. Aggrieved by the same, the present petition has been filed.

3. The learned counsel appearing for the petitioner further submitted that the present petition has been filed solely for the purpose of corroborating the testimony of D.W.3 / Chairman of Amaravathi Nursing College, Karur, and that



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the documents sought by the petitioner / fifth accused before the trial Court are essential for the said purpose. However, the trial Court, without considering the necessity of such documents to corroborate the evidence already deposited by the said witness, passed the impugned order.

4. The learned counsel appearing for the petitioner drew my attention to the deposition of D.W.3 / Chairman of Amaravathi Nursing College, Karur, who had deposed in respect of the statement of P.W.4 regarding the alleged involvement of the petitioner / fifth accused in the offence of murder. However, the trial Court discredited the evidence of D.W.3 during his deposition by putting questions and making observations with regard to the inspection conducted by the Indian Medical Association in the said Nursing College. It was further submitted that the application under Section 91 Cr.P.C. was filed solely for the purpose of strengthening and corroborating the credibility of the evidence of D.W.3. Nevertheless, the learned trial Court dismissed the said application. It was also contended that unless the impugned order is set aside, the petitioner would be put to irreparable injury, as the evidence of D.W.3 stands discredited, and therefore, he sought the indulgence of this Court.



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5. Per contra, the learned Additional Public Prosecutor appearing for the respondent police categorically contended that this is a murder case of the year 2020 and the trial had commenced as early as during 2021. The petitioner and the other accused are making application after application before the trial Court and also before this Court for the purpose of protracting the trial proceedings. He further submitted that the trial Judge has ample power to put questions to the witnesses deposing evidence under Section 165 of the Indian Evidence Act, 1872 and hence there is no infirmity in having raised a question before the defence side witness during his examination.

6. The learned Additional Public Prosecutor appearing for the respondent police further submitted that several opportunities were given to the petitioner to conduct the case. The prosecution evidence was closed on 25.10.2024 and when the case was adjourned to 06.11.2024 for 313 questioning, there was no defence at all. After a period of almost one year, specifically after closing the petitioner's evidence, he has filed this petition under Section 91 Cr.P.C., seeking with the aforesaid prayer, which is only for the sole intention of protracting the trial proceedings and hence, he sought for the dismissal of this petition.



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7. Heard the learned counsel on either side and carefully produced the materials available on record.

8. On a careful perusal of the questions put by the Trial Court to DW3, it becomes evident that the questions relate to whether the authorities of the Indian Medical Association have been conducting annual inspections of Amaravathi Nursing College, Karur, in respect of its functioning. However, this Court is of the considered view that the Indian Medical Association will not have any role with the administration of any medical colleges or nursing colleges across the country. The Indian Medical Association is only an association of Doctors, for the purpose of looking into the welfare of the Doctors, who are the members to the said association. It is only the National Medical Commission, which is the competent authority for monitoring the proper conduct of the various Medical Educational Institutions in India.

9. In view of the aforesaid observations, I find the question with regard to the Indian Medical Association posed to DW3 as absurd and also I don't find any necessity for the petitioner to call for the records from Amaravathi Nursing College, Karur, pertaining to substantiate the claim of DW3.



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10. With the above observations, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

19.12.2025

NCC : Yes / No
Index : Yes / No
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TO:-

WEB COPY

1. The Deputy Superintendent of Police,
Through Inspector of Police,
Karur Town Police Station,
Karur.
2. District and Sessions Judge, Karur.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
Crl.O.P.(MD)No.23458 of 2025

Dated
19.12.2025