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CRL OP No. 1489 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

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

CRL OP No. 1489 of 2026
and CrI.M.P.No. 930 of 2026

M.Uma Maheswari

..Petitioner

Vs

K.Raghu

..Respondent(s)

PRAYER: Criminal Original Petition is filed under Section 530 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order of dismissal dated 17.12.2025 in CrI.M.P.No.5 of 2025 in STC.No.3467 of 2023 on the file of the Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai.

For Petitioner : Mr.K.D.Arun Kumar

ORDER

The present Criminal Original Petition has been filed to set aside the order of dismissal dated 17.12.2025 passed in CrI.M.P.No.05 of 2025 in STC.No.3467 of 2023 on the file of the V FTC Metropolitan Magistrate Court at Saidapet, which was filed under Section 348 of BNSS to recall P.W-1 for the purpose of cross-examination.

2. The learned counsel appearing for the petitioner submitted that the petitioner had cross-examined P.W-1 on 11.11.2025. Later, he came to know



that certain important questions that were put to the complainant, were not recorded in the deposition and hence, the petition to recall P.W-1 was filed.

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3. Heard the learned counsel on either side and perused the petition filed by the petitioner before the trial Court.

4. On perusal of the materials available on record, it is found that no valid grounds have been raised before the trial Court to recall P.W-1. Further, it is also admitted by the learned counsel appearing for the petitioner that the case now stands posted for judgment. The trial Court has rightly found that P.W-1 was cross-examined in detail on 11.11.2025 itself. The defence side witnesses were examined and trial was also completed and at the stage of argument, the petition to recall P.W-1 was filed. This only goes to show that the intention of the petitioner was only to drag on the proceedings.

5. In view of the above discussion, this Court does not find any infirmity or error in the order of the trial Court. Therefore, this Criminal Original Petition stands dismissed. Consequently, connected criminal miscellaneous petition is closed.

23-01-2026

Neutral Citation: Yes/No
SRM



To
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The Metropolitan Magistrate,
Fast Track Court-V,
Saidapet,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

SRM

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