



WEB COPY

CRL OP No. 6204 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6204 of 2026

1. Thangadurai
2. Moovendhan
3. Rajkumar
4. Munusami
5. Manjula

..Petitioners

Vs

The State Rep by
The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.
Cr.No.57/2025

..Respondents

PRAYER: The Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records of the learned Principal Sessions Judge, Mayiladuthurai relating to the Order dated 08.10.2025 and made in CrI.M.P.No.1272 of 2025 in SC.No.56 of 2025 and to set aside the same.

For Petitioners : Mr.S.Shivaraj

For Respondent : Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor

ORDER

The present Criminal Original Petition has been filed to set aside the order dated 08.10.2025 passed in CrI.M.P.No.1272 of 2025 in SC.No.56 of 2025 by the learned Principal Sessions Judge, Mayiladuthurai.



2. The case of the petitioners is that they have filed a petition under Section 311 of Cr.P.C. to recall P.W-1 and P.W-2 for further cross-examination as they had engaged a new counsel and gathered further materials with regard to the contradictions in the prosecution case. However, the said petition was dismissed by the trial Court saying that allowing the petition would delay the trial proceedings. Challenging the same, the present petition has been filed.

3. Heard the learned counsel appearing for the petitioner and perused the order dated 08.10.2025 passed in CrI.M.P.No.1272 of 2025 in SC.No.56 of 2025 by the learned Principal Sessions Judge, Mayiladuthurai.

4. The primary ground which the petitioners raised is that though initially three persons have been named as accused in the First Information Report, later the case has been developed and three more persons have been arrayed as accused. Hence, to expose the falsity of the case, they need to further cross-examine the witnesses P.W-1 and P.W-2.

5. From the order of the learned trial Judge, it is seen that P.W-1 and P.W-2 have been cross-examined extensively. The question with regard to the adding of accused, a specific question has been put to the witnesses. It is also seen that the witnesses have also supported the case of the prosecution. Now,



the petitioners have raised the contention that there had been an improvement and development of adding three more accused. It is for the petitioners to raise this point with the Investigating Officer and not by recalling the witnesses which would amount to possibility of tampering the witnesses.

6. In view of the above, this Court is not inclined to entertain this Criminal Original Petition. Accordingly, this Criminal Original Petition is dismissed.

11-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRM

To

1. The Principal Sessions Judge,
Mayiladuthurai.
2. The Inspector of Police,
Perambur Police Station,
Mayiladuthurai District.
3. The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

SRM

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