



WEB COPY

CRL OP No. 14364 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 14364 of 2026

1. Parasuraman
2. Baskaran
3. Smt.Jayagandhi

(Wrongly typed in the impugned order as
Jayagadhai)

..Petitioner(s)

Vs

The State Rep. By,
The Sub-Inspector Of Police
Vadavanakkambadi Police Station,
Tiruvannamalai District.
Crime No.97/2014

..Respondent(s)

To call for the records relating to the case in Crl.M.P.No.105 of 2026 in the pending C.C.No.85 of 2014 on the file of the Learned Judicial Magistrate, Vandavasi, Tiruvannamalai District and set aside the orders passed therein on 20.02.2026 by allowing this petition by this Hon'ble Court and thus render justice.

For Petitioner(s): Mr.G.Saravanan

For Respondent(s): Mr.A.Amarnath,
Government Advocate (Crl. Side)



ORDER

The petitioner/accused, who are facing trial in C.C.No.85 of 2014 on the file of the learned Judicial Magistrate, Vandavasi, Triuvannamalai District, filed a petition under Section 311 Cr.P.C. seeking recall of PW1, PW2, PW4 and PW5 for cross examination. The Trial Court by order dated 20.02.2026 dismissed the same. Challenging the same, the present petition has been filed.

2. The contention of the petitioners is that the petitioners are facing charges under Sections 294(b), 323 and 506(i) IPC. According to the petitioners, PW1, PW2, PW4 and PW5, who are eyewitnesses and the relatives of the petitioners, have not been cross examined so far. It was further contended that PW1 and PW2 were examined on a single day, while PW4 and PW5 were examined after a long interval of five years, hence they have not been cross examined effectively.

3. The learned Government Advocate (Crl. Side) strongly opposed the petitioners' contention stating that the case is of the year 2014 and has been prolonged for more than a decade due to the conduct of the petitioners. Earlier, the petitioners filed a recall petition and the same was dismissed. Subsequently, the case was posted for judgment on 03.06.2026. On that day, since the judgment was not ready, the case has been adjourned to 22.06.2026. In the meanwhile, the petitioners have filed this petition before this Court.

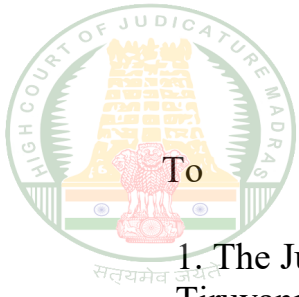


4. Considering the submissions made on either side and perusal of the materials available on record, it is seen that the present Criminal Original Petition was filed on 02.06.2026 and citing the same, the petitioners made a representation before the Trial court and got adjourned of the case to 22.06.2026. It is also to be seen from the impugned order that PWs.1 and 2 were examined on 10.09.2014 and PWs.3 and 4 were examined on 22.04.2019 and it is clear that they had sufficient time to cross examine the witnesses.

5. It is to be further seen that the petitioners had earlier filed a recall petition and the same was dismissed. Thereafter, the present petition has been filed seeking the very same relief without giving any valid reason. Hence, the Trial Court finding that the case is of the year 2014 and that the petition for recall has been filed after an inordinate delay, rightly dismissed the same. The matter has already reached the stage of pronouncement of judgment, and at such a belated stage, the present petition has been filed without any valid ground. Hence, this Court is not inclined to entertain the petition. Accordingly, this Criminal Original Petition is dismissed.

08-06-2026

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



To

1. The Judicial Magistrate, Vandavasi,
Tiruvannamalai District
2. The Sub-Inspector Of Police
Vadavanakkambadi Police Station,
Tiruvannamalai District.
Crime No.97/2014
3. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

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