



CRL OP(MD). No.443 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/01/2026

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THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

CRL OP(MD). No.443 of 2026
and
CRL MP(MD)No.443 of 2026

Murugan

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police, Awps-Ramanathapuram,
Ramanathapuram District.
Cr. No.5/2024.

... Respondent

PRAYER :-

To set aside the order dated 19.06.2025 passed in Crl.MP.No. 451/2025 in Spl.SC No.47/2024 on the file of Sessions Judge (Fast Track Mahila Court), Ramanathapuram by allowing this Criminal Original Petition.

For Petitioner : Mr. R.T.Arivu Kumar,
Advocate.

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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CRL OP(MD), No.443 of 2026

ORDER

This Criminal Original Petition is filed to set aside the order dated 19.06.2025 passed in CrI.MP.No.451/2025 in Spl.SC No.47/2024 on the file of Sessions Judge (Fast Track Mahila Court), Ramanathapuram by allowing this Criminal Original Petition.

2. Learned counsel for the petitioner submitted that the petitioner is the sole accused in the case in Spl.SC No.47/2024 on the file of Sessions Judge (Fast Track Mahila Court), Ramanathapuram, registered for the offences under Sections 7 and 8 of Protection of Child from Sexual Offences Act. He submitted that at the first instance, he had engaged an Advocate before the trial Court who had failed to conduct the case properly and committed severe lapse by not examining the witnesses in time and finally never turned up to conduct a case. Thereafter a Legal Aid Counsel was appointed by the learned trial Court for conducting the case, who had filed an application before the trial Court in Cr.M.P.No. 451 of 2025, under Section 311 of Cr.P.C., to recall the witnesses PW.1 to P.W.7 for the purpose of cross examination. However, the trial Court



CRL OP(MD), No.443 of 2026

dismissed the petition. Seeking indulgence of this Court, this Criminal Original Petition is filed.

3. Mr.S.Ravi, learned Additional Public Prosecutor appearing for the respondent would submit that since the victim should not be called again and again for cross examination in POCSO Act cases, if the petitioner restricts his claim for recalling P.W.2 to P.W.7, the relief sought for by the petitioner may be granted.

4. Learned counsel for the petitioner submitted that P.W.1 is the victim and he restricts his claim to recall the witnesses P.W.2 to P.W.7 for cross examination.

5. In view of the submissions made by both parties, the impugned order dated 19.06.2025 passed in CrI.MP.No.451/2025 in Spl.SC No. 47/2024 on the file of Sessions Judge (Fast Track Mahila Court), Ramanathapuram, is modified and the learned Sessions Judge (Fast Track Mahila Court), Ramanathapuram, is directed to permit the petitioner to recall P.W.2 to P.W.7 for cross examination. However, it is



CRL OP(MD). No.443 of 2026

made clear that the said exercise should be concluded within a period of one week from 09.02.2026 to 13.02.2026 and the petitioner is not permitted to seek for any adjournments.

6. With the above direction, this Criminal Original Petition is partly allowed. Consequently, connected miscellaneous petition stands closed.

09.01.2026

NCC : yes / no
Index : yes / no
Internet : yes / no

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CRL OP(MD), No.443 of 2026

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To

1. The Sessions Judge (Fast Track Mahila Court), Ramanathapuram.
2. The Inspector of Police, Awps-Ramanathapuram,
Ramanathapuram District. Cr. No.5/2024
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL OP(MD). No.443 of 2026

L.VICTORIA GOWRI, J

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ORDER
IN
CRL OP(MD). No.443 of 2026
and
CRL MP(MD)No.443 of 2026

Date : 09/01/2026