



CRL OP(MD). No.1407 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27/01/2026

CORAM

THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL OP(MD). No.1407 of 2026

R.Justin Michael Raj

... Petitioner

Vs

1. The State of Tamilnadu,
Rep by the Inspector of Police,
Pattukkottai Taluk Police Station,
Pattukkottai,
Thanjavur District.
Crime No.107/2013

2. S.James

... Respondents

PRAYER :-

To set aside the Order dated 12.11.2019, in CC No.565/2013 to re-examination passed of Prosecution Witness 1, Prosecution Witness 2 and Prosecution Witness 3 by the learned Judicial Magistrate Pattukkottai.

For Petitioner : Mr. Karthic Raja M,
Advocate.

For Respondent : Mr.M.Sakthi Kumar for R1
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition is filed to set aside the order dated 12.11.2019, in CC No.565/2013 to re-examination of the witnesses P.W.1, P.W.2 and P.W.3 by the learned Judicial Magistrate Pattukkottai.

2. Learned Counsel for the petitioner submitted that the petitioner is the defacto complainant in CC.No.565 of 2013 before the learned Judicial Magistrate, Pattukkottai. An application under Section 311 of Cr.P.C., came to be filed by the private respondent herein and the same was allowed by order dated 12.11.2019, passed by the learned trial Court, directing to issue fresh summons to PW1 to P.W3 and the case has been further posted on 2/12/2019. However, in the instant case, for the offences under Section 294(b) and 326 of IPC, already the victim /petitioner / defecto complainant along with all the other eyewitnesses have deposed their evidence as early as 24/7/2019 and they were also subjected to cross examination. However, later on 12/11/2019 the said application under Section 311 Cr.P.C., to recall and re-examine P.W.1 to P.W.3 filed by the accused came to be allowed. However, even



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after a lapse of six years, having not taken any steps to recall the witnesses in terms of the order passed by the learned trial Court by order dated 12.11.2019, the trial is kept pending. He further submitted that the petitioner is right now placed in Singapore for his avocation in view of the same, the impugned order dated 12.11.2019 has to be necessarily quashed.

3. The learned Government Advocate fairly conceded that the case is pending for the learned trial court.

4. In view of the same considering the fact that already the witnesses P.W.1 to P.W.3 were examined as early as on 24.07.2019 the impugned docket order dated 12.11.2019 passed by the learned Judicial Magistrate Pattukkottai, is quashed. The learned Judicial Magistrate Pattukkottai, is directed to conclude the trial in C.C.No.565 of 2013 as expeditiously as possible within a period of four months from date of receipt of a copy of this order.



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5. Accordingly, this Criminal Original Petition stands allowed.

27.01.2026

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

pnn

To

1. The Inspector of Police, Pattukkottai Taluk Police Station,
Pattukkottai, Thanjavur District. Crime No.107/2013.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI, J

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ORDER
IN
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