



Crl.O.P(MD)No.1920 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1920 of 2026

and

Crl.M.P(MD)No.2153 of 2026

Muthukumar

... Petitioner/ Petitioner/Accused

Vs.

The State of Tamil Nadu,
Rep.by The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
(Crime No.2/2018)

... Respondent/Respondent/
Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the order passed by the Court of Sessions Judge (Fast Track Mahila Court), Ramanathapuram in Crl.M.P.No.435 of 2024 dated 05.06.2025 in Spl.S.C.No.38 of 2018.

For Petitioner : Mr.V.Dinesh Kumar

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

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Seeking to set aside the order passed by the learned Sessions Judge (Fast Track Mahila Court), Ramanathapuram in Crl.M.P.No.435 of 2024 dated 05.06.2025 in Spl.S.C.No.38 of 2018, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that the petitioner is an accused before the trial Court in Spl.S.C.No.38 of 2018 and he had filed an application to recall P.W.1 and P.W.2 for further cross-examination. However, the same came to be rejected by the learned trial Court and sought for setting aside the impugned order.

3. The learned Additional Public Prosecutor submitted that the case is of the year 2019. Already P.W.1 and P.W.2 to P.W.5 were examined and cross-examined on the same day. Thereafter, accused had absconded from 2019 to 2024. After much efforts, he was secured on



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19.05.2025. This petition has been filed only to protract the proceedings. Hence, he sought for dismissal of the case.

4. Heard the learned counsel on either side and carefully perused the materials available on record.

5. From the materials placed before me, it is clear that the pending case before the learned trial Court is a case registered for the offences under the Protection of Child from Sexual Offences Act, 2012. No doubt the absconded accused in the said case surrendered before learned trial Court only on 19.05.2025 and thereafter had filed an application for further cross examination even though the victims and prime witnesses were already cross examined. I do not find any necessity for the petitioner to further cross examine the witnesses as sought by him and it is clear that he had filed the application only to protract the proceedings pending before the learned trial court.



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6. Hence, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petition is closed.

02.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

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To

- 1.The Inspector of Police,
All Women Police Station,
Paramakudi,
Ramanathapuram District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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