



Crl.OP(MD)No.3225 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 16.02.2026**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**Crl.O.P.(MD).Nos.3225 of 2026**  
**and Crl.M.P(MD).No.3507 of 2026**

1.S.Vijay  
2.V.Kalai  
3.Kanagavel  
4.R.Lakshmi

... Petitioners

**Vs.**

State of Tamil Nadu  
rep., by  
The Inspector of Police,  
Solavanthan Police Station,  
Madurai District.  
Crime No.297 of 2015

... Respondent

**Prayer:** Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the impugned order passed in Crl.M.P.No.4068 of 2025 in S.C.No.357 of 2022 dated 22.01.2026 before the learned Additional Chief Judicial Magistrate, Madurai.

For Petitioners : Mr.N.Manimaran



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For Respondent : Mr.S.Ravi  
Additional Public Prosecutor

### **ORDER**

Seeking to set aside the order passed by the learned Additional Chief Judicial Magistrate, Madurai, in Crl.M.P.No.4068 of 2025 in S.C.No.357 of 2022 dated 22.01.2026, this criminal original petition is filed.

2.The learned counsel for the petitioners submitted that the petitioners are the Accused Nos.1 to 4 in the aforesaid case. They have filed a petition under Section 348 BNSS seeking to recall and cross-examine P.W.1 to P.W.10 and the said application was allowed by the learned trial Court with a condition to pay an amount of Rs.10,000/- to the Madurai Bar Association Library and witness batta of Rs.1,500/- to each of the witnesses. Since the said condition was not complied with, the order was automatically recalled and hence, this petition.



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3.Heard both sides and carefully perused the materials available on record.

4.A perusal of the order passed by the learned trial Court, I do not find any infirmity in the condition imposed by the learned trial Court. However, for the ends of fair trial, the petitioners are permitted to comply with the order passed by the learned trial Court within one week from the date of receipt of a copy of this order. On such compliance, the trial Court is directed to permit the petitioners to recall and cross-examine the witnesses P.W.1 to P.W.10 within ten days, without seeking any further adjournment.

5.With the above directions, this Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

**16.02.2026**

NCC : Yes / No

Index : Yes / No

*Rmk*

**NOTE: Issue order copy on 17.02.2026**



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To

- 1.The Additional Chief Judicial Magistrate, Madurai.
- 2.The Inspector of Police,  
Solavanthan Police Station,  
Madurai District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI, J.**

*Rmk*

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**16.02.2026**