



Crl. O.P.(MD) No.6401 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

Crl.O.P.(MD) No.6401 of 2026

and

Crl.M.P.(MD).No.6948 of 2026

Sumathi,
W/o.Kalidas,

... Petitioner/Accused No.14

Vs

The State rep. by the
Inspector of Police,
S.S.Colony Police Station,
Madurai – 625 016.
(In Crime No.830/2009).

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, to call for the entire records connection with the case in Crl.M.P.No.216 of 2026 in S.C. No. 489 of 2020 on the file of the Learned Chief Judicial Magistrate, Madurai and set aside the order dated 13.02.2026 and pass such other or further orders.

For petitioner : Mr.Niranjana S.Kumar

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed challenging the order dated 13.02.2026 in Crl.M.P.No.216 of 2026 in S.C.No.489 of 2020 on the file of the learned Chief Judicial Magistrate, Madurai.

2. A perusal of the records reveal that the petitioner herein had filed an application under Section 348 of the BNSS to recall P.Ws. 8 and 9. The said application was allowed on 13.02.2026, with a direction to the petitioner to file a process memo within a period of three days and to complete the cross-examination on the date of appearance of the witnesses. However, the petitioner failed to file the process memo within the stipulated time, and therefore, the petition stood dismissed automatically. Hence, the present petition has been filed.

3. In such circumstances, in order to afford one more opportunity to the petitioner, Crl.M.P.No.216 of 2026 in S.C. No.489 of 2020 is restored, and the petitioner is directed to file the process memo on or before **08.04.2026**. It is further directed that the cross-examination shall be completed on the same day on which the witnesses appear.



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4. With the above said observations, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

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Internet : Yes / No

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Note :

Issue order copy on 02.04.2026

To

1. The Chief Judicial Magistrate, Madurai.

2. The Inspector of Police,
S.S.Colony Police Station,
Madurai – 625 016.

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



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R.VIJAYAKUMAR, J.

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