

IN THE COURT OF THE I ADDITIONAL SESSIONS JUDGE, THRISSUR.

Present:

Sri. K. Kamanees, Addl. Sessions Judge- I.

Tuesday the 07th day of April, 2026/17th Chaithra, 1948.

Crl.M.P 3/2026 in SC 432/2015

(Crime no.1709/2013 of Thrissur East Police Station)

Petitioner/Accused No.1 : Palani Swamy, aged 62 years, S/o.Karuppayya,
Door No.45 A, Kallar Theruvu, Nadar Veethi,
Kulathur, Trichi, Tamil Nadu.

By Adv. Sri. K.N. Ajayakumar & Adv. Sajna P.M.

Respondent/Complainant : State of Kerala represented by The Sub
Inspector of Police, Thrissur East Police Station.

By Public Prosecutor Sri. K. P. Ajayakumar

As part of defence evidence the counsel for the accused No.1 Palani Swamy had preferred this petition to recall the investigating officer, examined as PW23. .

This petition is coming on this day for hearing and on the same day the court passed the following:

ORDER

As part of defence evidence the counsel for the accused No.1 Palani Swamy had preferred this petition to recall the investigating officer, examined as PW23.

2. According to the accused No.1, his counsel had omitted to make certain questions regarding the property list marked through PW23. The omissions have now been noted. Therefore it is necessary that the witness be recalled.

3. The learned Prosecutor vehemently objected to the same stating that the lacuna cannot be filled in by allowing this petition. There were ample and more chances for the defence to complete the examination. The witness cannot

be recalled for the purpose of asking the questions which the petitioner had asked at the time when he was examined as PW23.

4. The records reveal that the witness has already been examined and discharged after a long cross examination at the instance of both the accused persons. The accused had every right to ask questions. The counsel states that there were omissions to ask some questions and without that the evidence may not be complete. In such circumstances, this court finds that the petition can be allowed On a condition that the question shall confine to the property list.

In the result, the petition is allowed as above. Issue summons to the PW23 to appear and re-examine on 17.04.2026.

(Dictated partially to the Confidential Assistant, and partially to the appropriate dictation software, transcribed by her/it, corrected by me and pronounced in open court on this the 07th day of April, 2026).

Sd/-

K. KAMANEEES

I ADDL. SESSIONS JUDGE, THRISSUR

Copied by: Reshma

/True copy/

By Order

Sheristadar I/C

Copy to : 1.The Station House Officer
Thrissur West Police Station.

Order in
Crl.MP 3/2026 in SC 432/2015
Dated: 07.04.2026

