

**IN THE PRINCIPAL DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,
GUDALUR**

**PRESENT: THIRU. G.SARAVANAKUMAR, B.A., B.L., (Hon's)
Principal District Munsif-cum-Judicial Magistrate, Gudalur.**

Wednesday, Dated 24th day of June' 2026.

C.M.P. No:237/2026

in

STC. No.636/2024

Mr. Praveen Kumar Manivarman.

-- Petitioners/ Accused

-Vs-

Mr. Lawrence,

S/o.Mr. Manimaran.

-- Respondent/ Complainant

For Petitioners/ Accused : Learned Advocate Mr. V.J.Jibin.

For Respondent/ Complainant : Learned Advocate Mr.P.A.Vargheese.

ORDER

1. This petition has been filed by the Petitioner/Accused under section 311 of Cr.p.c, for seeking permission to recall the PW1 for purpose of cross examination.

2. THE GIST OF THE PETITION AVERMENTS AS FOLLOWS:

The above mentioned case is filed by the complainant under section 138 of NI Act. On 09.03.2026, the complainant was examined as PW1 and was not cross examined on 01.04.2026. Presently this case has been posted today for defense evidence. The Petitioner/accused is having a good cause of denfense and it is highly necessary to permit the accused to recall the prosecution witnesses for the purpose of cross examination otherwise, it will cause irreparable loss and agony to the accused beyond repair. Therefore prays to allow the petition.

3. The other side taken notice on 14.05.2026 and stated that this petition was may be allowed on heavy cost.

4. Heard both side and Records perused.

5. The point for consideration is that whether the petition is to be allowed and the PW1 to be recalled for cross-examination ?

THE POINT:

6. The Learned counsel for the petitioner submitted that, on 09.03.2026, the complainant was examined as PW1 and was not cross examined by the Petitioner / accused. Therefore it is necessary to recall the PW1 to arrive a just conclusion in this case. The other side did not raised any objection by the way of counter.

7. Since, the other side did not raised any objection, in the interest of justice, in order to give an opportunity to the Petitioner/accused to conduct the trial effectively and in order to avoid further delays, this court is inclined to allow this application with the following condition,

(i) the petitioner shall pay Rs.2000/- to the PW1/Complainant on or before 08.07.2026 towards cost.

(ii) the petitioner shall complete the cross examination of the PW1 on the day of their appearance before this court itself without seeking any further adjournment.

(iii) the Pw1 shall appear and subjected himself for cross examination on 08.07.2026

Subjected to the above condition, this petition is allowed. For reporting compliance call on 08.07.2026

Dictated to the Stenographer, directly typed by her, corrected and pronounced by me in the open court on this the 24th day of June' 2026.

**Sd/- G.SARAVANAKUMAR
PRINCIPAL DISTRICT MUNSIF-CUM-
JUDICIAL MAGISTRATE, GUDALUR**