

In the court of District Munsif cum Judicial Magistrate, Rameswaram

Thiru.S.B.Sujith, B.A.,B.L.(Hons),
District Munsif cum Judicial Magistrate,
Rameswaram.

CrI.M.P.No.127/2026
TNRM05-000359-2026

Thirumalaikannan (age 36/2026),
S/o.Muthukrishnan,
Tharavaithoppu, Pamban.

... Petitioner/Accused

-Vs-

Sub Inspector of police,
Pamban Police Station.

... Complainant

ORDER

- 1) This petition is filed u/s.348 BNSS to recall PW1, PW2 for cross examination.
- 2) It is submitted that PW1, PW2 were examined on 18.07.2023 in Chief and has not been cross examined and if PW1, PW2 not recalled it will cause great hardship.
- 3) Learned APP has objected that sufficient opportunity has already been furnished and the petition is liable to be dismissed.
- 4) Both sides heard. Records perused. Admitted PW1, PW2 was examined in chief on 18.07.2023. Case is pending at the stage of arguments. However PW1, PW2 are the prime witness and without cross examining them the accused will not have any defence. However, this recall is filed at fag and of case after 3 years. Considering all the circumstances in interest of justice, this court is inclined to recall PW1, PW2 for cross examination by accused on condition that cost Rs.1000 be paid to PW1 and PW2 each on day of cross examination (in total Rs.2000). Accordingly this petition u/s.348 is allowed.

District Munsif cum Judicial Magistrate,
Rameswaram.