

**IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE,
RANIPET**

**Present: Tmt.A.DAOU DH AMMAL, B.A.,M.L.,
Assistant Sessions Judge/
Chief Judicial Magistrate, Ranipet**

Tuesday, the 16th day of June, 2026

**Crl.M.P.No.241/2026
in
SC.No.58/2025**

Sathish @ Hemachandran
s/o.Ravikumar

... Petitioner/Accused

-Vs-

State by Inspector of Police,
Ranipet Police Station,
Crime No.196/2019

... Respondent/Complainant

This Petition coming before me for final hearing on 12.06.2026 in the presence of Mr.K.Babu, Counsel for the Petitioner/Accused and Mrs.V.Ragini, Additional Public Prosecutor for Respondent/Complainant and on perusal of records, averments in the Petition and Counter and having stood over for consideration till this date, this court delivered the following

**Assistant Sessions Judge/
Chief Judicial Magistrate, Ranipet 1/6**

ORDER

The Petition is filed by the Petitioner/Accused u/s.315 of Cr.P.C to permit the Accused to lead his Defence witness, in the interest of justice.

Petition Averments in Nutshell:

2. The Petitioner has submitted that the Respondent/Complainant has instituted a case against the Petitioner/Accused u/s.294(b), 326, 341, 506(ii) of IPC and the same is pending before this Court and posted for Defence evidence. The examination of the Petitioner/Accused and victim Jagadeesan and Logesh is necessary to prove the Defence in this case and also some documents have to be marked through him. Without examining the said Accused as Defence witness and without marking some relevant documents to his evidence, the innocence of the Accused cannot be proved in the abovesaid case. If this Court did not permit this Petitioner/Accused to examine himself and victims as DW1, DW2 and DW3, then it will cause severe loss and hardship to the Accused which could not be compensated in any means. Hence this Petition.

Counter Averments in Nutshell:

3. The Respondent have submitted that the Petition is devoid of merits and not maintainable either in law or on facts and the same is liable to be dismissed in limini. The Petitioner filed this Petition regarding the examination of Defence side witnesses namely Jagadeesan and Lokesh, for which they produced wound certificates in

which, there is no way connected with the names in the wound certificates and list of witness of Hemachandran. If the Petitioner is the real victim in the incident, they may submit and produce the wound certificates to the Investigation Officer at the time of Preliminary investigation itself, since the counter case in S.C.No.167/2019 is pending before this court. So it clearly shows to blame the court by filing this Petition and to delay the further proceedings. Hence this Petition is liable to be dismissed.

Point for consideration:

4. Whether the Petition filed u/s.315 of Cr.P.C to permit the Accused to lead his Defence witness, in the interest of justice is to be allowed or not?

Point:

5. This Petition has been filed by the Petitioners/Accused on the side of Accused stating that the Respondent/Complainant has instituted a case against the Petitioner/Accused u/s.294(b), 326, 341, 506(ii) of IPC and the same is pending before this Court and posted for Defence evidence. The examination of the Petitioner/Accused and victim Jagadeesan and Logesh is necessary to prove the Defence in this case and also some documents have to be marked through him. Without examining the said Accused as Defence witness and without marking some relevant documents to his evidence, the innocence of the Accused cannot be proved in the abovesaid case. If this Court did not permit this

Petitioner/Accused to examine himself and victims as DW1, DW2 and DW3, then it will cause severe loss and hardship to the Accused which could not be compensated in any means. Hence this Petition. The Respondent have submitted that the Petition is devoid of merits and not maintainable either in law or on facts and the same is liable to be dismissed in limini. The Petitioner filed this Petition regarding the examination of Defence side witnesses namely Jagadeesan and Lokesh, for which they produced wound certificates in which, there is no way connected with the names in the wound certificates and list of witness of Hemachandran. If the Petitioner is the real victim in the incident, they may submit and produce the wound certificates to the Investigation Officer at the time of Preliminary investigation itself, since the counter case in S.C.No.167/2019 is pending before this court. So it clearly shows to blame the court by filing this Petition and to delay the further proceedings. Hence this Petition is liable to be dismissed.

6. It is to be noted that this Petition has been filed to permit the Accused to lead his Defence witness in order to establish the case of the Defence. The Respondent has objected to allow this Petition stating that this Petition has been filed regarding the examination of Defence side witnesses namely Jagadeesan and Lokesh, for which they produced wound certificates in which, there is no way connected with the names in the wound certificates and list of witness of

Hemachandran. If the Petitioner is the real victim in the incident, they may submit and produce the wound certificates to the Investigation Officer at the time of Preliminary investigation itself, since the counter case in S.C.No.167/2019 is pending before this court. It is to be noted that Section 315 of Cr.P.C reads as follows:-

Accused Person to be competent witness:

Any person accused of an offence before a Criminal Court shall be a competent witness for the defence and may give evidence on oath in disproof of the charges made against him or any person charged together with him at the same trial, Provided that;

1. he shall not be called as a witness except on his own request in writing;

2. his failure to give evidence shall not be made the subject of any comment by any of the parties or the Court or give rise to any presumption against himself or any person charged together with him at the same trial.

7. Thus as per the provisions of Section 315 of Cr.P.C it is to be noted that any person accused of an offence before a Criminal Court shall be a competent witness and may give evidence on oath in disprove of the charges made against him or any person charged together with in at the same Trial, provided that he shall not be called as a witness except on his own request in writing. Hence this court considers that the Petitioner/Accused having filed this Petition to adduce evidence to disprove the charges levelled against him and hence an opportunity shall be given to the Petitioner/Accused to lead his evidence in order to establish the Defence case. Hence, this Court is inclined to allow this

Petition, in the interest of justice.

8. In the result, this Petition stands Allowed, in the interest of justice and the Accused and victims Jagadeesan and Lokesh shall be permitted to lead their evidence.

Dictated to the Typist, typed by her in computer directly, corrected and pronounced by me in open court this the 16th day of June, 2026.

Assistant Sessions Judge/
Chief Judicial Magistrate,
Ranipet.

Prosecution side witnesses and Exhibits: NIL

Respondents side witnesses and Exhibits: NIL

Assistant Sessions Judge/
Chief Judicial Magistrate,
Ranipet