

In the court of the Fast Track Court (Magisterial Level), Kovilpatti

Present: Thiru.K. Anand., M.L.,

Judicial Magistrate,(FAC)

On this 10th day of July month of 2026,

Crl.M.P.No. 325/2025

in

S.T.C.No. 99/2024

S. Venkateshwaran

.... Petitioner / Accused

/Vs/

Sivakannan

.... Respondent / Complainant

ORDER

This petition is filed by the Petitioner's counsel Thiru.T. Chinnamarimuthu and Thiru.A. Mohamed Hussain appeared for the Respondent and having perused the available materials on record this court delivered the following.

Brief of petition

1. This petition is filed by the petitioner u/s.353 of BNSS. The petitioner is the Accused in this case and the Respondent is the Complainant in this case.
2. The petitioner in the petition states that petitioner has to be examined as defence witness and mark the documents of Certified copy of the petition receipt for the complaint filed by the petitioner at the police station, Certified copy of the petition and affidavit filed by the petitioner U/s.156(3) of CrPC before the Honorable JM.II court and the Certified copy of the order passed in the petition filed by the petitioner U/s.156(3) of CrPC before the Honorable JM.II court. Hence the petitioner filed this

petition for examination of himself as defence witness and marking of above documents.

Counter

3. The Respondent objected that the petition is liable to be dismissed. The contents of the petition is false. The above documents are not relevant to this case. The dismissal of this petition would not cause serious prejudice to the petitioner. But the allowance of the petition would cause serious prejudice to the respondent.

The point for consideration is whether this petition is to be allowed or not?

4. Both sides heard. Records perused.
5. The petitioner filed this petition for examination of petitioner as defence witness by marking above documents to prove his case. The respondent objected that above documents are not relevant to this case. The petitioner side prayed that above documents has to be marked through the examination of the petitioner as defence witness to disprove the case of the respondent. The exact details of the above documents are not stated in the petition. But the petitioner version is that above documents are relevant to this case.
6. Considering the fact that no prejudice will be caused to the Respondent and giving fair opportunity to petitioner to prove his case and petitioner shall prove his case by examination of witnesses and above reason submitted by the petitioner is relevant to this case, the petitioner is permitted to examining himself as defence witness by marking above documents.

Hence interest of justice this petition is allowed accordingly.

7. Dictated to the Steno-Typist and directly typed by her in Computer and corrected by me and Pronounced by me in the open court on this day 10th day of July 2026.

Judicial Magistrate,
Fast Track Court,
Kovilpatti(FAC).