

**IN THE COURT OF THE JUDICIAL MAGISTRATE,
FAST TRACK COURT, SRIVILLIPUTTUR.**

Present: Thiru. R. Sundara Kamesh Marthandan, M.L.,
Judicial Magistrate, Fast Track Court, Srivilliputtur.

Friday, on the 12th day of June 2026

M.P. No. 3 of 2026
in
S.T.C. No. 429 of 2026

Selvakani

...Petitioner/Accused

-vs-

Murugan

...Respondent/Complainant

This Petition came up before this Court today i.e. 12.06.2026. Advocates M/s. T.V.Amirtharaj & N.Murali , for the Petitioner/Accused. Advocates M/s. T.Thirupathiraj & S.venkatesh for the Respondent/Complainant. Upon hearing both sides and Upon perusing the case records, this Court delivers the following:

ORDER

1. The Petitioner/Accused had filed the Petition under Section 348 of Bharatiya Nagarik Suraksha Sanhita, 2023, seeking an Order to Recall PW1, for Cross Examination.

2. The Petitioner/Accused had stated that the PW1 was examined on 02.04.2026. Since the Petitioner, did not had necessary documents with her, on that day, he could not Cross Examine, the PW1 on that day. The Petitioner/Accused has to be Permitted to Cross Examine PW1, failing which the Petitioner will be put to irreparable hardship and

inconvenience. Hence the above Petition

3. The Respondent counsel had submitted that, he has "No Objection", for allowing the above Petition.

4. The Point for consideration, is whether the above Petition has to be allowed or not?

5. Since Pre-Summons Evidence had been taken in this Case and that the Petitioner/Accused had stated that Cross Examination of Respondent/Complainant is essential and that when the Accused, had come up before this Court, seeking an order to Re-Call PW1, if PW1 was examined in Pre-Summons, stage, this Court is legally bound to allow the above Petition. Hence in the interest of justice and in order to ensure Fair Trial, this Court is of the considered view that the above Petition, could be allowed.

In the result the above Petition is allowed. No Cost.

Dictated to the Typist and Typed by her, directly in Computer corrected and pronounced by me in Open Court this, the 12th day of June 2026.

Judicial Magistrate, Fast Track Court
Srivilliputtur.

Petitioner side witness & Documents : Nil

Respondent side witness & Documents : Nil

Judicial Magistrate, Fast Track Court
Srivilliputtur.