

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.8727 of 2015

and M.P.No.1 of 2015

Afser Thasleem

..Petitioner
(Accused)

Vs

D.Soundarajan

.. Respondent
(Complainant)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and set aside the order passed in CMP No.312/2015 dated 10.03.2015 passed by the learned Judicial Magistrate, Fast Track Court, Vellore in so far as permitting and recalling P.W.1 the complainant and also permitting him to mark postal acknowledgment and reply pending trial in C.C.No.171 of 2014 on the file of the Judicial Magistrate, Fast Track, Vellore.

For Petitioner : Mr.C.U.Kumar

O R D E R

This petition has been filed to call for the records and set aside the order passed in CMP No.312/2015 dated 10.03.2015 passed by the learned Judicial Magistrate, Fast Track Court, Vellore in so far as permitting and recalling P.W.1 the complainant and also permitting him to mark postal acknowledgment and reply pending trial in C.C.No.171 of 2014 on the file of the Judicial Magistrate, Fast Track, Vellore.

2. It is seen that the respondent/complainant has filed a complaint for an offence under Section 138 Negotiable Instruments Act and this petitioner is the accused therein. During the course of trial, the complainant filed an application under Section 311 Cr.P.C. to examine P.W.1 and mark certain documents, which was allowed by the trial Court. The trial Court, in its order has stated that P.W.1 is being requisitioned by both the parties and therefore, the trial Court has held in the impugned order that, it will serve the interest of justice if P.W.1 is examined for the purpose of marking the documents sought for by the complainant/respondent. Since there is no serious infirmity in the order passed by the trial Court, this petition is dismissed with liberty to the petitioner to raise necessary objections during the

course of trial. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

gms

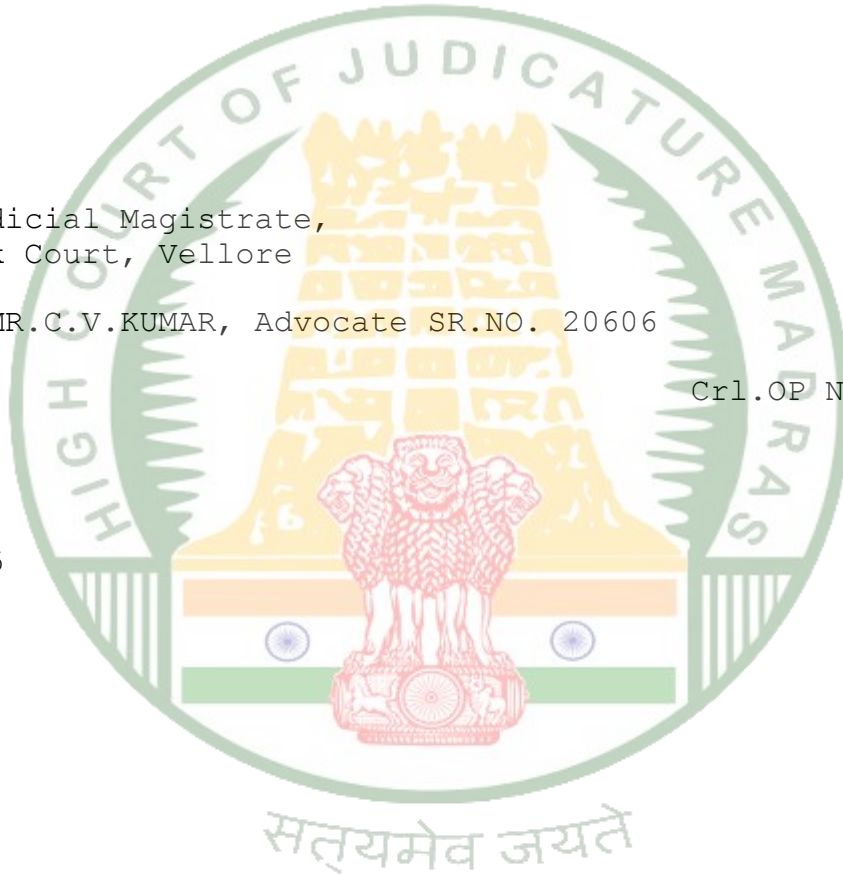
To

1.The Judicial Magistrate,
Fast Track Court, Vellore

+1 CC to MR.C.V.KUMAR, Advocate SR.NO. 20606

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PPA (CO)
PKS
19/05/2015



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