

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 04.10.2016****CORAM:****THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**

Cr1.O.P. (MD) .No.19106 of 2016
and
Cr1.M.P (MD) No.9575 of 2016

A.Meenakshi Sundaram

.. Petitioner

Vs.

A.Pandi

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order relating to Cr.M.P.No.2980 of 2016 in S.T.C.No.141 of 2012, on the file of the Judicial Magistrate, Fast Track Court No.II, Madurai District dated 29.08.016.

For Petitioner

: Mr.F.Deepak

For Respondent

: Mr.K.Anbarasan,
Government Advocate
(Criminal side)**ORDER**

This Criminal Original Petition is filed seeking to set aside the order passed by the Judicial Magistrate, Fast Track Court No.II, Madurai District, dated 29.08.016 in Cr.M.P.No.2980 of 2016 in S.T.C.No.141 of 2012.

2. The petitioner is an accused in a private complaint filed by the respondent under Sections 138 and 142 of Negotiable Instruments Act. After trial, he was convicted by the learned Judicial Magistrate No.V, Madurai and sentenced to undergo two years Rigorous Imprisonment. Challenging the conviction, the petitioner has preferred an appeal before the Additional Sessions Court, Fast Track Court No.I, Madurai. The appellate Judge, by judgement, dated 13.09.2007, set aside the judgement of the Trial Court and remanded the case for fresh trial. Subsequently, the petitioner filed applications under Section 91 of Cr.P.C., in Cr.M.P.No.4295 of 2008 and Cr.M.P.No.3368 of 2014. He filed another application in Cr.M.P.No.2980 of 2016 under Section 311 of Cr.P.C., seeking permission to cross-examine P.W.1. Since the petitioner has not assigned any reason in the application and



P.W.1 was already examined fully by the petitioner on earlier occasion, the trial Court dismissed the application.

3. In view of the above, I do not find any illegality or perversity in the order passed by the learned Judicial Magistrate, Fast Track Court No.II, Madurai in Cr.M.P.No.2980 of 2016, hence, this petition is dismissed. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1 THE JUDICIAL MAGISTRATE,
FAST TRACK COURT NO.II, MADURAI DISTRICT

2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 cc to MR.F.DEEPAK, Advocate Sr.No.58663

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04.10.2016

SMA/PV/02.11.2016:2P/4C