

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 08.04.2019****CORAM:****THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN****Crl.OP.No. 1511 of 2019**
and CMP.No.981 of 2019

A. Chakravarthy

...Petitioner

-Vs-

S. Jeyaprakash

..Respondent

Prayer: Criminal Original Petitions filed under Section 482 of Cr.PC to set aside the order dated 21.12.2018 passed in Crl.MP. No. 4472 of 018 in C.C. No. 45 of 2013 on the file of the learned Judicial Magistrate/Fast Track Court, Kallakurichi.

For Petitioner : No Appearance

For Respondent : Mr.S. Vinothkumar

ORDER

The prayer sought for in the present petition is to set aside the order dated 21.12.2018 passed in Crl.MP. No. 4472 of 018 in C.C. No. 45 of 2013 on the file of the learned Judicial Magistrate/Fast Track Court, Kallakurichi.

2. No Appearance for the petitioner. Heard the learned counsel for the respondent and perused the documents available on record.

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3. It is seen that due to the money transaction between the petitioner and respondent, the respondent herein had a petition against the petitioner herein under Section 138 r/w 142 of N I Act in C.C. No. 45 of 2013 before the learned Judicial Magistrate/Fast Track Court, Kallakurichi. Subsequently, the petitioner has filed a petition in CrI.MP. No. 4472 of 2018 to recall and cross examine PW1 under Section 311 CrPC and the said petition was rejected by the trial Court as not maintainable, since the case is pending for judgment. To set aside the said order passed by the trial Court, the present petition has been filed.

4. Considering the facts and circumstances of the case, this Court finds no irregularity or infirmity in the order passed by the learned Judicial Magistrate, Fast Track Court, Kallakurichi in rejecting the petition filed by the petitioner herein under Section 311 Cr.PC.

In view of the above, the present Criminal Original Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed.

08.04.2019

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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