

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.27432 of 2016
and
CrI.M.P.No.13964 of 2016

C.N.Balasubramaniam

...Petitioner/Accused

-Vs-

G.A.Palanisamy

... Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the order dated 09.11.2016 made in C.M.P.No.632 of 2016 in S.T.C.No.73 of 2015 on the file of the II Additional District Munsif Court, Bhavani.

For Petitioner : Mr.SP.Yuaraj
For Respondent : No appearance

ORDER

This petition has been filed challenging the order passed by the Court below dismissing the application filed under Section 311 Cr.P.C. to recall P.W.1 for further cross examination.

2.The petitioner is facing trial before the Court below for an offence under Section 138 of Negotiable Instruments Act. The petitioner had already cross examined P.W.1 and he wanted to again cross examine P.W.1 at a later point of time. The Court below had dismissed the petition on the ground that the case is at the stage of cross examination of the defense witnesses and the petition is filed to recall P.W.1 for further cross examination, without any sufficient reasons.

3.This Court does not find any illegality or infirmity in the order passed by the Court below and there are no ground to interfere with the same. In the result, the order passed by the Court below in C.M.P.No.632 of 2016, dated, 09.11.2016 is affirmed.

4.In the result, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in S.T.C.No.73 of 2015, within a period of three months from the date of receipt of copy of this order, if it has not already been disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

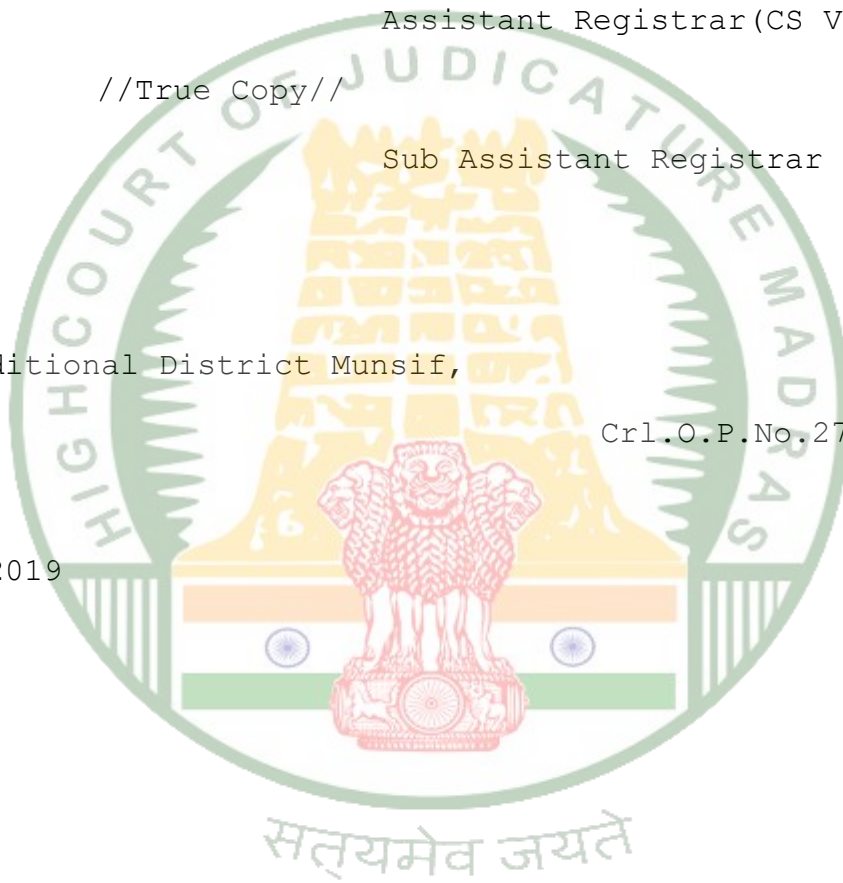
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To,

The II Additional District Munsif,
Bhavani.

Crl.O.P.No.27432 of 2016

rv(co)
nr 23/09/2019



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