

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20949 of 2019
and
Crl.M.P.No.10807 of 2019

D.Sudhakar ... Petitioner/Accused

Vs.

S.Anbarasan ... Respondent/Complainant

Prayer:

Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 08.07.2019 passed by the learned Judicial Magistrate, Vaniyambadi, Vellore District in Crl.M.P.No.2788 of 2019 in STC No.856 of 2015.

For Petitioner : M/s.Karan and Uday

O R D E R

This petition has been filed challenging the order passed by the Court below dismissing the application filed by the petitioner to re-open and to permit the petitioner to examine further witnesses.

2.The petitioner is facing trial before the Court below for an offence under Section 138 of the Negotiable Instruments Act. The petitioner examined himself as D.W.1 on 13.11.2018 and he was also cross examined by the respondent. After nearly 7 months and after the case was adjourned atleast on 11 occasions, the petitioner filed a petition to re-open for the purpose of examining further witnesses. The Court below dismissed the petition on the ground that the petitioner has not even given the list of witnesses and the petition itself has been filed only to drag on the proceedings.

3.Taking into consideration the facts and circumstances of the case, this Court does not find any illegality or infirmity in the order passed by the Court below and there are absolutely no grounds to interfere with the order passed by the Court below.

4.In the result, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in STC.No.856 of 2015 within a period of two months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

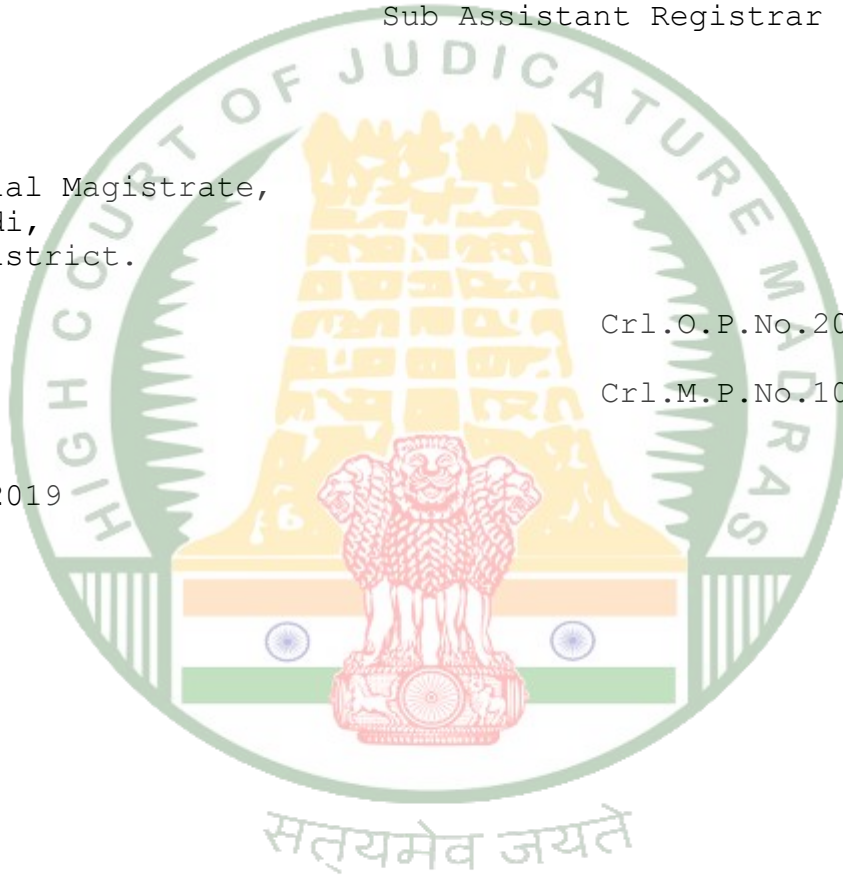
jas/vs

To

The Judicial Magistrate,
Vaniyambadi,
Vellore District.

Crl.O.P.No.20949 of 2019
and
Crl.M.P.No.10807 of 2019

SVI (CO)
CS/18/09/2019



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