

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.26769 of 2017
inCrl.M.P.No.15409 of 2017

Magadevan
Chief Manager,
Chennai Central Co-operative Bank Limited,
Vivekananda Illam Branch,
Triplicane,
Chennai - 600 005.

...Petitioner

-Vs-

R.Sakthivel

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to set aside the dismissal order dated 17.08.2017, made in Crl.M.P.No.2080 of 2017 in C.C.No.2962 of 2016 on the file of FTC-II, Metropolitan Magistrate Court, Egmore at Allikulam and allow the P.W.1 to cross examination of the defence.

For Petitioner : M/s.A.Rajaraman

ORDER

This petition has been filed challenging the order passed by the Court below, dismissing the application filed by the petitioner under Section 311 of Cr.P.C to recall PW.1 for the purpose of cross examination.

2. The petitioner was facing trial before the Court below and in the course of the trial, he filed an application under Section 311 of Cr.P.C., to recall PW.1 for cross examination.

3. The trial Court found that PW.1 was already cross examined by the petitioner on 25.05.2017 and there is no satisfactory explanation given by the petitioner as to why PW.1 has to be once again recalled for further cross examination.

4. This Court does not find any illegality or infirmity in the order passed by the Court below and there are no grounds to interfere with the same.

5. In view of the above, this Criminal Original Petition is dismissed and the Court below is directed to proceed further with the case and complete the proceedings in C.C.No.2962 of 2016 on the file of FTC-II, Metropolitan Magistrate Court, Egmore at Allikulam, Chennai, within a period of two months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

The FTC-II, Metropolitan Magistrate Court,
Egmore at Allikulam, Chennai.

Cr1.O.P.No.26769 of 2017

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nr 17/07/2019



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