



WEB COPY

CrI.OP No.25221 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-11-2023

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

CrI. OP No.25221 of 2023

and

CrI.MP No.17486 of 2023

Kandeeban

... Petitioner

Versus

Uthandi

.. Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the order dated 07.06.2023 passed in CrI.MP No.566 of 2023 in CC No.163 of 2017 by the learned Judicial Magistrate, Gingee and set aside the same.

For Petitioner : No Appearance

ORDER

The complainant has filed the complaint against the petitioner herein under Section 138 of the Negotiable Instruments Act, 1881 before the Trial Court. After examination of the witnesses on the side of the complainant questioning under Section 313 Cr.P.C., and examination of accused himself as



Crl.OP No.25221 of 2023

defence witness, an application to summon the wife of the complainant has been filed so as to be examined as defence side witness. After considering the plea and the counter filed by the complainant, the Trial Court dismissed the application on the ground that the Rama, wife of Uthandi (Complainant) is not a necessary witness to the proceedings.

2. On perusing the petition and the reasons stated to summon the said Rama, wife of Uthandi (Complainant) it does not disclose any reason to infer her testimony as relevant for the case in hand. Hence the application was dismissed. Since the complaint is pending in the Trial Court for more than six years, the Trial Court is directed to complete the Trial within a period of three months from today.

3. The present Criminal Original Petition stands dismissed with the abovesaid directions. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

30-11-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



Crl.OP No.25221 of 2023

WEB COPY To

- 1.Judicial Magistrate,
Gingee.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl.OP No.25221 of 2023

DR.G.JAYACHANDRAN, J.

Svn

Crl. OP 25221 of 2023

30-11-2023