



Crl.O.P.(MD).No.14010 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.14010 of 2023
and Crl.M.P.(MD).No.10978 of 2023

Badrinath

... Petitioner

Vs.

M/s. Standard Fire Works (P) Ltd,
Sivakasi Represented by Thro its
Staff and Authorised Person,
Mr.V.Amose Jayasingh(37),
1/3 Thiruthangal Road,
Sivakasi,
Virudhunagar District.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to Set aside the order dated 13.06.2023 made in Crl.M.P.6096 of 2022 in C.C.No.301 of 2017 on the file of the learned Judicial Magistrate No.1, Sivakasi and allow the above set aside petition.

For Petitioner : Mr.B.Jameel Arasu

ORDER

This criminal original petition has been filed to Set aside the order dated 13.06.2023 made in Crl.M.P.6096 of 2022 in C.C.No.301 of 2017



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on the file of the learned Judicial Magistrate No.1, Sivakasi.

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2.The learned counsel for the petitioner would submit that the petitioner is facing trial under Section 138 of the Negotiable Instruments before the trial Court. For examination of the Bank officials i.e., the complainant bank and to produce the Bank statements of the petitioner, he filed the petition to reopen the case in Cr.M.P.No.6096 of 2022. But, still he could not give clear details. Hence, a report was called for from the trial Court.

3.A report was received from the trial Court stating that Cr.M.P.No.6302 of 2021 was filed to recall PW1 and he was also cross examined. At the time of defence side evidence again filed reopen petition. Another petition was filed to recall PW1. They were dismissed by the trial Court. Again the petitioner has filed two petitions, one is for reopen the case and another one is for recall PW1 and the same were allowed by the trial Court after filing of this petition.

4.Even now the counsel on record is not able to inform the Court



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about the correct factual aspect. I find no reason to interfere with the order passed by the trial Court. So this petition deserves to be dismissed.

5.Accordingly, this criminal original petition stands dismissed.

Consequently, connected miscellaneous petition is closed.

30.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1.The Judicial Magistrate No.I, Sivakasi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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