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Crl.O.P.No.9386 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

Crl.O.P.No.9386 of 2024

and

Crl.M.P.No.6535 of 2024

C.Nagaraj

... Petitioner

Vs.

A.Anand Raj

... Respondent

**Prayer:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the records and set aside the order dated 07.03.2024 in Crl.M.P.No.1 of 2024 in STC.No.912 of 2022 on the file of the Judicial Magistrate, FTC, Poonamallee.

For Petitioner : Mr.R.Ravindraram

### **ORDER**

This Criminal Original Petition is filed to recall PW.1 on the premise that certain information has been received through RTI from PW.1 (Complainant). The trial Court after considering the request has recorded that PW.1 was extensively examined on 14.02.2023, thereafter, the accused was questioned under Section 313 Cr.P.C., also given an opportunity to let in defence witness and the accused was examined as



Crl.O.P.No.9386 of 2024

DW.1. At this juncture, the present petition is filed to recall PW.1, when the matter is posted for arguments.

2. The learned counsel appearing for the petitioner states that a very valuable right of the accused will be deprived, if PW.1 is not examined and confronted the information collected from the bank through RTI.

3. After perusing the records, this Court finds that if at all any new facts has come to the knowledge of the petitioner/accused, he should have sought for summoning that person who has furnished information and not an application to recall PW.1. This Court finds that the petition to recall PW.1 who was examined long back, the trial has reached the finality and posted for arguments, hence this Criminal Original Petition is dismissed as devoid of merits. Consequently, the connected Criminal Miscellaneous Petition is also dismissed.

**18.04.2024**

Index : Yes/No  
Neutral Citation : Yes/No  
rpl

To



CrI.O.P.No.9386 of 2024

The Judicial Magistrate, FTC, Poonamallee.  
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**Dr.G.JAYACHANDRAN,J.**



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CrI.O.P.No.9386 of 2024

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CrI.O.P.No.9386 of 2024

18.04.2024