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Crl.OP.No.10303 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.10303 of 2024

and

Crl.MP.No.7055 of 2024

Mrs.Karpaga Selvi

... Petitioner

Vs.

M/s.Micro Finance Development
Initiatives of India
Rep by A. Murugan (Accounts Officer)
60, Officers Colony 3rd street
Mehta Nagar, Chennai 600 029.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and set aside the order dated 18.10.2023 passed in Crl.MP.No.32223 of 2023 in CC.No.1865 of 2011 by the learned Metropolitan Magistrate, Fast Track Court-II, Allikulam, Egmore, Chennai.

For Petitioner : Mr.R. Chakkaravarthy



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ORDER

The petitioner is an accused in the complaint under Section 138 of Negotiable Instruments Act taken cognizance in the year 2011. Trial in this case been protracted by him due to his abscondance. After long delay, he was secured after issuance of non-bailable warrant.

2. This petition to cross-examine the complainant was allowed on condition that he should cross-examine the witness on the day when the witness is present. However, when witness was present on 17.07.2023, the petitioner herein did not cross-examine the witness. Hence, the trial Court has closed the evidence of P.W.1 and proceeded further.

3. Being aggrieved, the present petition is filed seeking interference of this Court to set aside the order passed by the trial court and permit the petitioner herein to re-call and examine P.W.1. The reasons stated in the impugned order is clear and unambiguous. For more than 13 years the petitioner herein dragging the proceedings and even after condition imposed on her to cross-examine the witness on the day the witness present, she has not examined the witness, but giving some



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same excuse allowed the witness to go without cross examination and preferred this petition. The attempt of the petitioner to delay the proceedings is well found and recorded by the trial Court.

4. In view of the above, this court finds no reasons to interfere in the order of the trial court. Hence, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

29.04.2024

Vv

To

The Metropolitan Magistrate,
Fast Track Court-II,
Allikulam, Egmore, Chennai



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Dr.G.JAYACHANDRAN,J.

Vv

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