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Crl.OP.No.10154 and 10157 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.Nos.10154 & 10157 of 2024

and

CMP.Nos.6984, 6986, 6989 & 6992 of 2024

Sridevi

... Petitioner
(in both the Crl.OPs)

Vs.

Nataarajan

... Respondent
(in both the Crl.OPs)

Prayer in Crl.OP.No.10154 of 2024: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Crl.MP.Nos.423/2024 in STC.No.135/2022 dated 03.04.2024 on the file of the Fast Track at Magistrate Level, Tiruvallur and re-open the case in STC.No.135/2022 dated 03.04.2024 on the file of the Fast Track at Magistrate Level, Tiruvallur.

Prayer in Crl.OP.No.10157 of 2024: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Crl.MP.Nos.424/2024 in STC.No.135/2022 dated 03.04.2024 on the file of the Fast Track at Magistrate Level, Tiruvallur and permits the petitioner to cross examine P.W.1, P.W.2 and P.W.3 by recall the case.

For Petitioner : Mr.T.Muruganantham
(in both the Crl.OPs)



Cr.OP.No.10154 and 10157 of 2024

COMMON ORDER

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In 138 case, where the Court has already directed the trial Court to complete the trial within three months. The accused after few months of examination of the complainant has taken out an application to re-call him without stating the reasons. The trial Court after considering the fact has dismissed the application filed under Sections 311 of Cr.P.C.

2. The learned counsel for the petitioner submits that the source of advancing money not been questioned and therefore the complainant has to re-call. The source of advancing money which is subject matter of the cheque is a very vital question and when the witness was present, the accused failed to put that question. He cannot be given an opportunity again to recall the witness after lapse of six months to fill up the gap.

3. In view of the above, this Court finds no merits in these petitions. Hence, these Criminal Original Petitions are dismissed. Consequently, the connected miscellaneous petitions are closed.

Vv

29.04.2024



CrI.OP.No.10154 and 10157 of 2024

To

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1. The Fast Track at Magistrate Level,
Tiruvallur.

Dr.G.JAYACHANDRAN,J.



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Vv

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29.04.2024