



WEB COPY



Crl.OP.No.13222 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.13222 of 2024

Sasikala

... Petitioner

Vs.

Krishnappa

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, prayed to set aside the order passed in Crl.MP.No.3184 of 2020 in S.T.C.No.201 of 2017 dated 28.07.2022 on the file of the learned Judicial Magistrate, Fast Track Court, Hosur, Krishnagiri District and direct the trial Court to permit the petitioner to examine the witness namely Mr.Ramesh, S/o.Krishnappa as D.W.2.

For Petitioner : Mr.P.Saravanan

ORDER

This Criminal Original Petition is filed by the petitioner/accused under Section 254(2) of Cr.P.C to examine additional witness on his behalf. However, the trial Court on considering the facts of the case has



Crl.OP.No.13222 of 2024

dismissed the application.

WEB COPY

2. The learned counsel appearing for the petitioner submits that in connection with the money transaction, he is an eye witness who speak about the discharge of debt and therefore, the said eye witness by name Ramesh, S/o Krishnappa has to be summoned to give evidence.

3. The perusal of the records, does not disclose about the discharge of debt in the presence of one Ramesh either as a suggestion to the complainant during the cross examination or in the chief examination of the accused/petitioner. It has been elucidated about the discharge of debt in the prsence of one Ramesh, S/o.Krishnappa.

4. While so, the present petition is filed introducing a new fact and witness after seven years of the pendency of the criminal complaint initiated under Section 138 of Negotiable Instruments Act. The trial Court has rightly dismissed the application and this Court finds no reason to interfere in the order of the trial Court. Hence, this Criminal Original Petition is dismissed.

07.06.2024

Vv



Crl.OP.No.13222 of 2024

WEB COPY To

1. The Judicial Magistrate,
Fast Track Court, Hosur,
Krishnagiri District
2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl.OP.No.13222 of 2024

Dr.G.JAYACHANDRAN,J.

Vv

Crl.OP.No.13222 of 2024

07.06.2024