



Crl.O.P.Nos.13964 & 14069 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 15.07.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.13964 & 14069 of 2024

S.Vimala

... Petitioner in both Crl.O.P.Nos.

-Vs-

G.Kaliappan

... Respondent in both Crl.O.P.Nos.

COMMON PRAYER: Criminal Original Petitions filed under Section 482 Cr.P.C., to call for the entire records relating to the order dated 25.04.2024 in Crl.M.P.Nos.3 & 4 of 2024 respectively, in STC.No.30 of 2020 on the file of the Judicial Magistrate (Fast Track Court), Hosur, set aside the same.

For Petitioner in
both Crl.O.P.Nos. : Mr.S.Mayilnathan



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COMMON ORDER

These petitions are filed challenging the order passed by the trial Court dismissing the applications to re-open and re-call the defence side witness in a complaint registered under Section 138 of the Negotiable Instruments Act. These petitions are filed to re-open and re-call the defence side witness, which does not carry any specific reason. Therefore, the trial Court has rightly dismissed the applications by relying on the judgment of the Hon'ble Supreme Court in *AG Vs. Shiv Kumar Yadav & another*, reported in *2016 (2) SCC 402*.

2. This Court on perusing the records placed found that adequate opportunity was given to the petitioner/accused to examine the witnesses and she has not availed that opportunity and thereafter, she filed applications pertaining to the income tax returns of the complainant.



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3. This Court finds that no reason was assigned to interfere with the order passed by the trial Court and hence, this Court is not inclined to entertain the applications. Therefore, these Criminal Original Petitions are dismissed.

15.07.2024

Index : Yes/No.
Internet : Yes/No.
dna

To

1. The Judicial Magistrate (Fast Track Court), Hosur.
2. The Public Prosecutor
High Court, Madras.



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DR.G.JAYACHANDRAN.J,

dna

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