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Crl. O.P. No. 18718 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl. O.P. No. 18718 of 2024
and
Crl.MP.Nos.11052 and 11053 of 2024

P. Sathya

... Petitioner

Vs.

S. Bhuvaneswari

... Respondent

Prayer: Criminal Original Petition is filed under Section 530 of The Bharathiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 27.06.2024 passed in Crl. M.P. No. 31104 of 2024 in C.C. No. 6836 of 2016 on the file of the learned Metropolitan Magistrate FTC-II, Egmore at Allikulam, Chennai – 3.

For Petitioner : Mr. Prakash Goklaney

ORDER

The petitioner herein is the accused in a private complaint instituted under Section 138 of Negotiable Instruments Act. The case is pending in C.C.No.6836 of 2016 for the past eight years at the end of the trial, the petitioner has filed an application to summon the Bank Manager



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to prove his alleged repayment of the debt amount. The said petition was dismissed by the trial Court on the ground that the petition is bereft of details, the manner in which debt repaid not spoken either in the reply notice or during the cross examination of the complainant by way of suggestion. Therefore, summoning the Bank Manager will serve no purpose. The said order is challenged in this petition.

2. This Court perusing the impugned order finds there is no illegality or perversity. After eight years of pending case, accused has thought fit to file a bald application to summon the Bank Manager without furnishing any detail about the date of repayment and mode of repayment. The trial Court has rightly dismissed the petition to summon the Bank Manager. Therefore, this petition which is filed to protract the proceedings cannot be entertained. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petitions are closed.

06.08.2024

Vv



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To

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1. The Metropolitan Magistrate FTC-II,
Egmore at Allikulam, Chennai – 3.



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Dr.G.JAYACHANDRAN,J.

Vv

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