



Crl.O.P.No.598 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.598 of 2025

Subramaniyan Kichalu

... Petitioner

Vs

Jaikumar

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS Act, 2023, pleaded to set aside the order passed by the XXVI Metropolitan Magistrate Court, Egmore, Chennai in Crl.M.P.No.69545 of 2024 in STC No.6273 of 2023 dated 16.12.2024 and thereby render justice.

For Petitioner : Mr.S.Deivasigamani

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the XXVI Metropolitan Magistrate Court, Egmore, Chennai in Crl.M.P.No.69545 of 2024 in STC No.6273 of 2023 dated 16.12.2024.



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2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The respondent/complainant filed a complaint as against the petitioner herein for the offence under Section 138 of the Negotiable Instruments Act and the same was taken on file in STC No.6273 of 2023 on the file of the XXVI Metropolitan Magistrate Court, Egmore, Chennai. Pending STC, the petitioner herein filed a petition in Crl.M.P.No.69545 of 2024 seeking to recall P.W.1 for cross examination and the same was dismissed on 16.12.2024. Aggrieved over the same, the petitioner has filed this criminal original petition.

4. Despite sufficient opportunity was given to the petitioner herein to cross-examine P.W.1 and the petitioner has also cross-examined P.W.1 extensively, he has filed the petition to recall P.W.1. Hence, the learned Magistrate dismissed the petition. This Court does not find any perversity/reason to set aside the order passed by the learned Magistrate.



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5. In view of the same, this Criminal Original Petition is dismissed.

09.01.2025

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

TheXXVI Metropolitan Magistrate Court,
Egmore, Chennai.



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P.VELMURUGAN, J.

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