



Crl.O.P.No.3338 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3338 of 2025
and Crl.M.P.No.2215 of 2025

A.Ranganathan

... Petitioner

Vs

L.K.Vennila

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C/ 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the Hon'ble Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai in Crl.MP.No.1404 of 2025 in STC No.9595 of 2024 dated 31.01.2025 and consequently direct to recall the PW1 for cross examination.

For Petitioner : Mr.S.Sarath Kumar

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai in Crl.MP.No.1404 of 2025 in STC No.9595 of 2024 dated 31.01.2025 and consequently direct to recall the PW1 for cross examination.

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



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3. It is seen that the Trial Court dismissed the application filed under Section 348 of BNSS for cross examination of PW1 in Crl.MP.No.1404 of 2025 in STC No.9595 of 2024, on the ground that the reasons stated in the petition is not satisfied and not accepted. Further no notice has been ordered to the respondent and without any speaking order, mechanically dismissed the petition. Therefore, the impugned order cannot be sustained and is liable to be set aside.

4. Accordingly, the order passed in Crl.MP.No.1404 of 2025 in STC No.9595 of 2024 dated 31.01.2025 on the file the Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai, is hereby set aside. The matter is remanded to the Trial Court and the Trial Court is directed to issue notice to the counter complainant and dispose of the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. In the result, this Criminal Original Petition stands allowed. Consequently, connected Miscellaneous petition is closed.



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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

mn

To

1. The Metropolitan Magistrate, Fast Track Court-I,
Egmore at Allikulam, Chennai.
2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

mn

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