



Crl.O.P.No. 4703 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM:

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

Crl.O.P.No. 4703 of 2025

and

Crl.M.P.No.3027 of 2025

1.M/s.Chennai Hotels (India) Pvt Ltd
Rep By Its Managing Director Authorized Signatory,
Mr. R. Srinivasan,
No 103, Ashok Nagar Main Road,
Kodambakkam,
Chennai 600 024

2.R. Srinivasan
Managing Director Authorized Signatory Of
M/S. Chennai Hotels (India) Pvt, Ltd,
No 34/76, Balakrishnan Street, Extension,
Ashok Nagar,
Chennai 600 083

..... Petitioners

Vs

M/s. Motor Finance Corporation
Proprietor Mr. Gouthamchand,
Represented By Its Power Agent,
Mr. Anurag Jangra,
No 55-56, Harris Road,
G 3, Akshaya Plaza, Egmore,
Chennai 600 002

..... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to call for the records in Crl.M.P.No. 70973 of 2024 in STC.No.927of 2024 pending on the file of Metropolitan



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Magistrate Fast Track Court II, Egmore at Allikulam, Chennai and set aside the order dated 12.12.2024 in Crl.M.P. No 70973 of 2024.

For Petitioners : Mr.Vinod Paul Tyagaraj David

For Respondent : Mr.R.Muthukumar

ORDER

This Criminal Original Petition has been filed challenging the order dated 12.12.2024 passed in Crl.M.P.No.70973 of 2024 in STC No.927 of 2024 on the file of the Metropolitan Magistrate, Fast Track Court – II, Egmore at Allikulam, Chennai.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. It is seen that the petitioner is an accused in the complaint lodged by the respondent in STC No.927 of 2024 for the offence punishable under Section 138 of the Negotiable Instruments Act. After the examination of P.W.1, the petitioner had also examined the defence witnesses and marked certain documents. Thereafter, once again the petitioner filed a petition seeking to recall P.W.1 for further cross examination, pursuant to the documents marked through the defence witness.

4. This Court is of the view that such a recall is absolutely unnecessary since P.W.1 has already been fully examined. If at all the



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petitioner had any dispute regarding the documents, the same ought to have been clarified during the cross examination of P.W.1 or through the defence witnesses. Therefore, the application filed by the petitioner was rightly rejected.

5. In view of the above, this Court finds no infirmity or illegality in the order dated 12.12.2024 passed in Crl.M.P.No.70973 of 2024 in STC No.927 of 2024 by the Metropolitan Magistrate, Fast Track Court – II, Egmore at Allikulam, Chennai. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

06.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

The Metropolitan Magistrate Fast Track Court II,
Egmore at Allikulam Chennai.

G.K.ILANTHIRAIYAN, J.

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