



Crl. O.P. No. 4841 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 4841 of 2025

and

Crl. M.P. No. 3142 of 2025

Baskar

... Petitioner

Vs.

Karthick

.. Respondent

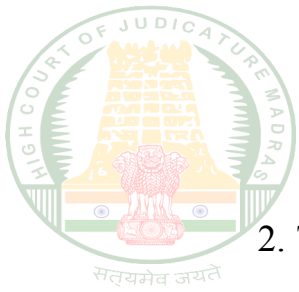
PRAYER: Criminal Original Petition is filed under Section 528 of BNSS, to set aside the docket order passed by the learned Judicial Magistrate No.1, Ponneri, Thiruvallur District dated 28.01.2025 in Crl.M.P.No.1957 of 2024 in S.T.C.No. 252 of 2022 and permit the petitioner to examine two witnesses 1) Janab B. Asathullah and 2) Arunkumar as defence witnesses on a date fixed by this Court.

For Petitioner : Mr. T.R. Ravi

For Respondent : Mr. C.D. Sugumar

ORDER

This Criminal Original Petition has been filed challenging the order passed in Crl. M.P. No. 1957 of 2024 in S.T.C. No. 252 of 2022, thereby dismissed the petition filed under Section 243 of Cr.P.C.,



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2. The petitioner is an accused in the complaint lodged by the respondent

for the offence punishable under Section 138 of Negotiable Instruments Act.

After closure of the complainant evidence, the petitioner filed application to bring the defence witnesses before the trial Court under Section 243 of Cr.P.C., and to issue summons to his witnesses. It was allowed by order dated 02.01.2025 on condition to get along with the evidence on the very next hearing. Failing which, the said petition stands automatically dismissed.

3. On 28.01.2025 both the petitioner as well the complainant were absent and the petitioner also did not take any steps to bring his witnesses before the trial Court. Therefore, the petition filed by the petitioner in Crl.M.P.No.1957 of 2024 stands dismissed.

4. Learned counsel for the respondent would submit that the matter is now posted for orders.

5. In order to give one more opportunity to the petitioner to put forth his defence by examining his defence witnesses, the petitioner shall bring his witnesses and examine them. If the petitioner failed to bring his witnesses on that day, the trial Court is directed to proceed with the trial in accordance with



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law. Thereafter, the trial Court is directed to complete the trial within a period

of 12 weeks from the date of receipt of copy of this order.

6. This Criminal Original Petition is disposed of with the above direction.

Consequently, connected miscellaneous petition is closed.

21.03.2025

Index : Yes/No

Neutral citation : Yes/No

AT

To

The Judicial Magistrate No.1, Ponneri,
Thiruvallur District.



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G.K.ILANTHIRAIYAN, J.

AT

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