



WEB COPY



Crl.O.P.No.6567 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2025

CORAM:

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

Crl.O.P.No.6567 of 2025
and
Crl.M.P.No.5712 of 2025

E.Jeya

... Petitioner

VS

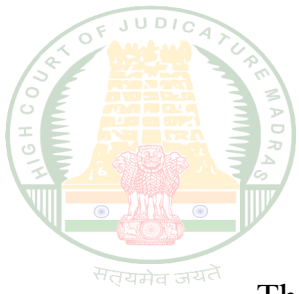
N.Suganthi

... Respondent

PRAYER: Criminal Original Petition is filed under 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order dated 14.02.2025 made in Crl.M.P.No.235 of 2025 in C.C.No.126 of 2022 passed by the Fast Track Court, (Magisterial Level), Alandur and allow the petitioner to recall the complainant Mrs.Suganthi/PW1 and cross examining her after marking the complaints in C.C.Nos.243 , 244 and 245 of 1011.

For Petitioner : Mr.R.Sreerangan

For Respondent : Mr.S.Ganesan



Crl.O.P.No.6567 of 2025

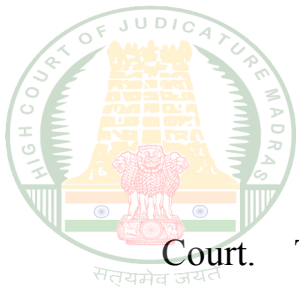
ORDER

This petition has been filed to set aside the order passed in Crl.M.P.No.235 of 2025 in C.C.No.126 of 2022 dated 14.02.2025 passed by Learned Judicial Magistrate No.V, Coimbatore, thereby dismissing the petition filed by the petitioner under Section 311 Cr.P.C to recall P.W1 and to mark additional documents.

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

3. The petitioner is an accused in the complaint lodged by the respondent in C.C.No.235 of 2025 on the file of the Fast Track Court, (Magisterial Level), Alandur for the offence under Section 130 of Negotiable Instruments Act. After examining both sides evidence and at that stage, when the matter was directed to be posted for arguments of the petitioner, the petitioner filed application to recall PW1 for further cross examination.

4. On perusal of the records, it is seen that the petitioner has not cross examined as PW1 even after given sufficient opportunities for cross examination of P.W.1 and hence the evidence of P.W.1 was closed by the Trial



Crl.O.P.No.6567 of 2025

Court. Thereafter, when the matter was posted for arguments on the side of the respondent, the petitioner filed an application to recall P.W.1 for further examination and to mark the additional documents in the case and failed to those complaints filed by the respondent-complainant against the petitioner's family members. Thus, nothing to do for the present complaint.

5. A perusal of records revealed that the petitioner was also examined as defence witness and however, he did not mark any additional documents to substantiate the said ground. That apart, the case is posted for arguments, after closing evidence. Therefore, the Trial Court had rightly dismissed the petition and this Court finds no infirmity or illegality in the order dated 14.02.2025 made in Crl.M.P.No.235 of 2025 in C.C.No.126 of 2022 passed by the Learned Fast Track Court, (Magisterial Level), Alandur and this petition is devoid of merits and is liable to be dismissed. The Trial Court is directed to dispose of the complaint in C.C.No.126 of 2022, within a period of twelve weeks from the date of receipt of a copy of this order.



WEB COPY



Crl.O.P.No.6567 of 2025

G.K.ILANTHIRAIYAN. J.

kkd

6. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous petition is closed.

24.03.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

kkd

To

The Fast Track Court (Magisterial Level),
Alandur.

Crl.O.P.No.6567 of 2025