



Crl. O.P. No. 7115 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 12.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. O.P. No. 7115 of 2025

B. Ummar Farooq

... Petitioner

Vs

N. Logeshwaran

... Respondent

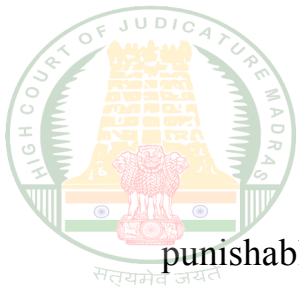
PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside the order in Crl. M.P. No. 2899 of 2024 in C.C. No. 266 of 2023 dated 12.02.2024 passed by the learned Judicial Magistrate Fast Track Court at Alandur.

For Petitioner : Mr. P. Sundararajan

ORDER

This Criminal Original Petition has been filed challenging the order passed in Crl. M.P. No. 2899 of 2024 in C.C. No. 266 of 2023 dated 12.02.2024, thereby allowing the petition filed by the respondent under Section 348 of BNSS to recall PW1 to adduce additional documents.

2. Learned counsel for the petitioner would submit that the petitioner is an accused in the complaint lodged by the respondent for the offence



Crl. O.P. No. 7115 of 2025

punishable under Section 138 of Negotiable Instruments Act. After examination of PW1, the respondent filed an application to recall PW.1 to mark additional evidence. He further submitted that the respondent did not even whisper about the document to be adduced through PW1.

3. On perusal of the petition filed by the respondent under Section 348 of BNSS, 2023 revealed that at the time of availing loan, the petitioner had executed the written undertaking to the respondent.

4. It is evident to show that already there was transaction between them. Therefore, the respondent wants to mark the same through PW1. Therefore, the trial Court rightly allowed the application filed by the respondent and this Court finds no infirmity in the order passed by the trial Court.

5. Accordingly, this Criminal Original Petition is dismissed.

12.03.2025

Index: Yes/No

Neutral Citation : Yes/No

AT

To

The Judicial Magistrate Fast Track Court at Alandur.



WEB COPY



Crl. O.P. No. 7115 of 2025

G.K.ILANTHIRAIYAN. J,

AT

Crl. O.P. No. 7115 of 2025

12.03.2025