



WEB COPY

CRL OP No. 17229 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 17229 of 2025 & CrI.M.P.No.10825 of 2025

1. K.Sangeetha

W/o.C.Premkumar, Proprietrix of
M/s.Accelor Machinereies, No.15/9,
SNR Flats, 4th Avenue, Ashok Nagar,
Chennai-600 083

Petitioner(s)

Vs

1. T.Ravikumar

S/o.Late Thomaldas, No.19/12,
M.G.Ramachandran Road, Kalashetra
Colony, Besant Nagar, Chennai-90

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to
setaside the order dated 06.05.2025 made in CrI.M.P.No.21969 of 2024 in
STC.No.2253 of 2022 pending on the file of the Metropolitan Magistrate, FTC-
V, Saidapet , Chennai-15

For Petitioner(s): M.D.Ilayaraja

For Respondent(s): Ms.N. Nithilavalli for Mr.D.Kumar

**ORDER**

WEB COPY

Challenging the Order of dismissal of the petition filed by the petitioner for recall of P.W.1 for further cross examination, the present petition has been filed.

2. The petitioner is arrayed as an accused in a private complaint filed under section 138 of the Negotiable Instruments Act. According to him, there is no liability. He had filed a petition to cross examine P.W.1 with regard to two documents to show that the subject property in respect of which the amount is said to have been paid had already been transferred to P.W.1 by way of settlement and thereafter by way of sale and only to file those documents, he has to cross examine P.W.1. However, the trial Court had dismissed the petition on the ground that the petition seeking further cross examination of P.W.1 has been filed after two years of cross examination of P.W.1 and now the matter is posted for arguments. Challenging the same, the present petition has been filed.



WEB COPY

3. Considering the fact that the documents executed by P.W.1 came to the notice of the petitioner recently, this Court is of the view that one more opportunity may be given to the petitioner for cross examination of P.W.1.

4. Accordingly, this Criminal Original Petition is allowed and the Order of the trial Court made in CrI.M.P.No.21969 of 2024 in STC.No.2253 of 2022 dated 06.05.2025 stands set aside. The trial Court shall fix a date for cross examination of P.W.1 and the cross examination shall be completed on the same date fixed by the trial Court and if the cross examination is not completed on that day, no further chance shall be given to the petitioner. Consequently, connected miscellaneous petition is closed.

08-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To

1. The Metropolitan Magistrate,
FTC – V. Saidapet, Chennai – 15.



WEB COPY

CRL OP No. 17229 of 2025



N.SATHISH KUMAR J.

vrc

CRL OP No. 17229 of 2025

08-09-2025