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Crl.OP.No.28692 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28692 of 2025
and Crl.M.P.No.19371 of 2025

K.Paramasivam

... Petitioner

Vs.

Vimala

... Respondent

Prayer: Petition filed under Section 528 of BNSS, to set aside the order dated 05.04.2025 in M.P.No.12 of 2025 in C.C.No.718 of 2021 on the file of the learned Judicial Magistrate-II, Namakkal.

For Petitioner : Mr.C.Rajakumar

ORDER

Challenging the order dated 05.04.2025 in M.P.No.12 of 2025 in C.C.No.718 of 2021 on the file of the learned Judicial Magistrate-II, Namakkal, the present Petition has been filed.



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2. Heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner had borrowed a sum of Rs.5 lakhs from the respondent and repaid the same with interest and there are no dues to the respondent and during the said transactions, the petitioner has given some signed blank cheques to the respondent which have been misused by him and a complaint was given for dishonour of cheque, for which he is facing trial in C.C.No.718 of 2021. He further submitted that the petitioner filed a petition in M.P.No.12 of 2025 before the trial Court to reopen the main case for his evidence, but the same was dismissed by the learned trial Judge. Hence the present Petition. He submitted that if the petitioner is not allowed to reopen his evidence, he will be put to grave hardship and hence, prayed this Court to grant the relief sought for by the petitioner in this petition. He also submitted that the case now stands posted for arguments.

4. A perusal of the case records reveals that the case pertains to money transaction and due to dishonour of cheque given by the petitioner, a complaint was given by the respondent and the case has been taken on file



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by the learned Judicial Magistrate-II, Namakkal and the same is now posted
“for arguments”. The case is of the year 2021. The petition seeking to
recall has been dismissed on 05.04.2025 and it is seen that the case now
stands posted for arguments. This Court finds no merit in the petition and it
has been filed only to delay the further proceedings. Hence, the Criminal
Original Petition stands dismissed. Consequently, the connected
Miscellaneous Petition is also closed.

23.10.2025

DP

To

- 1.The Judicial Magistrate-II,
Namakkal.
- 2.The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA.J,

DP

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