



Crl.O.P.No.18032 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

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

Crl.O.P.No. 18032 of 2023

T.Ragunathan

..... Petitioner

Vs

S.Shrinath

..... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Code of Criminal Procedure, to set-aside the order passed in C.M.P.No.2006 of 2023 in STC.No.529 of 2022 dated 13.06.2023 by the learned Judicial Magistrate, Udahamandalam, and consequential to reopen the PW-1 evidence in the above case.

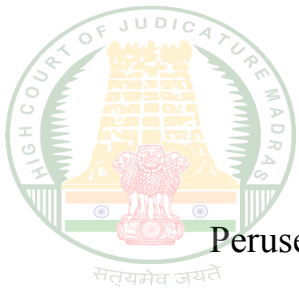
For Petitioner : No appearance

For Respondent : Mr.K.Balasubramaniam

ORDER

This Criminal Original Petition has been filed challenging the order dated 13.06.2023 passed in CMP No.2006 of 2023 in STC No.529 of 2022, by the learned Judicial Magistrate, Udhagamandalam, thereby dismissed the petition filed under Section 311 of CrI.P.C, to recall P.W.1.

2. Heard the learned counsel appearing for the respondent.



Crl.O.P.No.18032 of 2023

Perused the materials available on record. There is no representation on behalf of the petitioner and as such, this Court is inclined to pass orders on merits.

3. The petitioner is the complainant and the respondent is the accused. A complaint was lodged by the petitioner in STC No.529 of 2022 for the offence punishable under Section 138 of Negotiable Instruments Act as against the respondent.

4. A perusal of the petition filed by the petitioner under Section 311 of Cr.P.C., reveals that it does not disclose any documents required to be marked by the petitioner. Further, the petitioner has also failed to furnish the copies of the documents intended to be marked through P.W.1. Therefore, the Trial Court rightly dismissed the petition filed by the petitioner under Section 311 of Cr.P.C to recall P.W.1.

5. In view of the above, this Court finds no infirmity or illegality in the order dated 13.06.2023 passed in CMP No.2006 of 2023 in STC No.529 of 2022, by the learned Judicial Magistrate, Udhagamandalam. Accordingly, this Criminal Original Petition stands



dismissed.

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Crl.O.P.No.18032 of 2023

06.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

The Judicial Magistrate,
Udhagamandalam.



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Crl.O.P.No.18032 of 2023

G.K.ILANTHIRAIYAN, J.

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