



Crl.R.C.No.1248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2025

CORAM:

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

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Senthilkumar

..... Petitioner

Vs

Annamalai

..... Respondent

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the impugned order passed in C.M.P.No.2503 of 2024 in S.T.C.No.450 of 2022 in the court of Judicial Magistrate No.II, Chidambaram.

For Petitioner : Mr.A.Venkatesan

ORDER

This Criminal Revision Case has been filed challenging the order dated 11.07.2025 passed in C.M.P.No.2503 of 2024 in S.T.C.No.450 of 2022 by the learned Judicial Magistrate No.II, Chidambaram, thereby dismissing the petition filed under Section 311 of Cr.P.C. to recall P.W.1 for further cross examination.



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2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. A perusal of the records reveals that the petitioner is the accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. When the matter was posted for arguments, the petitioner filed a petition under Section 311 of Cr.P.C seeking to recall P.W.1 for the purpose of further cross examination, on the ground that necessary and vital questions needs to be asked on the defense side to disprove the case of the complainant. Further, it is seen that the petitioner had already filed a petition under Section 311 of Cr.P.C. which was allowed on 07.11.2023 and pursuant thereto, P.W.1 was duly cross examined. Thereafter, once again, only to drag on the proceedings, the petitioner filed another petition under Section 311 of Cr.P.C to recall P.W.1 for further cross examination, that too, when the matter was posted for arguments. Therefore, the Trial Court rightly dismissed the petition seeking recall of P.W.1 for further cross examination.



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4. In view of the above, this Court finds no infirmity or illegality

in the order dated 11.07.2025 passed in C.M.P.No.2503 of 2024 in S.T.C.No.450 of 2022 by the learned Judicial Magistrate No.II, Chidambaram.

Accordingly, this Criminal Revision Case stands dismissed.

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Index : Yes/No

Internet : Yes/No

Speaking/Non Speaking order

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To

The Judicial Magistrate No.II, Chidambaram.



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G.K.ILANTHIRAIYAN. J,

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