



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2025

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CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP Nos.23218 & 23222 of 2025

&

Crl.M.P.Nos.15872 and 15874 of 2025

1. M/s.Rudhra Movies

Rep by its Proprietrix, S.Gayathri,
W/o.Sekar, F/A-39 Yrs, No.15, 3rd
Floor, Sairam Towers, Kaliamman Koil
Street, Chinmaya Nagar Main Road,
Virugambakkam, Chennai-600 092.

2. S.Gayathri

W/o.Sekar, No.15, 3rd Floor, Sairam
Towers, Kaliamman Koil Street,
Chinmaya Nagar Main Road,
Virugambakkam, Chennai-600 092.

Petitioner(s) in Crl.M.P.No.23218 of 2025

Sekar,
No.15, 3rd Floor Sairam Towers,
Kaliamman Koil Street,
Chinmaya Nagar Main Road,
Virugambakkam,
Chennai-600 092.

Petitioner in Crl.M.P.No.23222 of 2025

Vs



1. V.Visalakshi

D/o.Vellayan, No.1, Singaravelu Street,
Gandhi Nagar, Dhasarathapuram,
Saligramam, Chennai-600 093.

Respondent(s) in both Crl.O.Ps.

PRAYER : Criminal Original Petitions filed under section 528 of BNSS to call for the records relating to the order dated 21.04.2025 made in Crl.M.P.Nos.9099 and 9100 of 2024 in STC Nos.821 and 822 of 2023 respectively on the file of the Judicial Magistrate, Fast Track Court (Magisterial Level), Poonamalle and to set aside the same and to allow these petitions.

For Petitioner(s): P.Abhinav

COMMON ORDER

Challenging the dismissal of the petitions filed to recall P.W.1 for further cross examination, these Criminal Original Petitions have been filed.

2. The petitioners are facing trial in STC.Nos.821 and 822 of 2023 respectively for the offence under section 138 of the Negotiable Instruments Act. It is the contention of the learned counsel appearing for the petitioners that when the above cases were posted for continuation of cross examination of



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P.W.1, as their counsel was held up before this Court, cross examination was closed. Therefore, petitions under section 311 of CRPC have been filed to reopen the evidence on the side of the complainant and for further cross examination of P.W.1. The petitions have been dismissed by the trial Court on the ground that the petitions have been filed at the fag end of the trial and the petitions have been filed only to prolong the proceedings. Challenging the same, the present petitions have been filed.

3. Considering the facts and circumstances of the case and in order to give an opportunity to the petitioners to further cross examine P.W.1, I am inclined to allow these petitions on payment of cost.

4. Accordingly, these Criminal Original Petitions are allowed on payment of cost of Rs.5000/- [Rupees five thousand only] payable by the petitioners to P.W.1 in each case. [Total cost Rs.10,000/- Rupees ten thousand only]. On such payment being made, let the trial Court fix a date for further cross examination of P.W.1 and the petitioners shall complete the cross examination of the witness



on the date fixed by the trial Court. If the cross examination has not been done on that date, their right for cross examination of the witness shall be forfeited.

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Consequently, connected miscellaneous petitions are closed.

20-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To,

The Judicial Magistrate,
Fast Tract Court, [Magisterial Level],
Poonamallee.



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N.SATHISH KUMAR J.

VRC

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