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CRL OP No. 24261 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 24261 of 2025

1. R.Sathiya

W/o.Ravichandran, No.155, West Canal
Bank Raod, Kotturpuram, Chennai-600
085.

Petitioner(s)

Vs

1. M.Sudha

W/o.K.Mohanraj, No.51/19, Subramani
Mudhali Street, Saidapet, Chennai-600
015.

Respondent(s)

PRAYER : Criminal Original Petition filed under section 528 of BNSS to call for the records pertaining to the impugned order dated 04.08.2025 made in Crl.M.P.No.3/2025 in C.C.No.210/2020 passed by the XXVII Metropolitan Magistrate Court, Saidapet, Chennai and set aside the same.

For Petitioner(s): Mr.M.Senthil Kumar



ORDER

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

2. The petition filed by the petitioner to recall P.W.1 for further cross examination has been dismissed by the trial Court on the ground that P.W.1 has already been cross examined and further cross examination has been done on 11.07.2023. The grievance of the petitioner is that P.W.1 has to be cross examined with regard to bank account of the respondent's husband. Hence, the present petition has been filed.

3. A perusal of the records reveal that P.W.1 has been cross examined on 12.06.2023. Thereafter, the petitioner has filed a petition to recall P.W.1 and the same has been allowed. However, as the petitioner has not cross examined P.W.1 for four hearings, the evidence has been closed. Once again the petitioner



had filed a petition in Crl.M.P.No.7152 of 2023 and the same has also been allowed and the petitioner had further cross examined P.W.1 on 11.07.2023.

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Further, the very submissions of the petitioner itself clearly indicate that the document is already on record and no specific reason has been assigned as to why cross examination has not been in the earlier occasions. Hence, I do not find any merits in this petition.

4. Accordingly, this Criminal Original Petition is dismissed.

04-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The XXVII Metropolitan Magistrate,
Saidapet, Chennai



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N.SATHISH KUMAR J.

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