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Crl.RC.No.1814 of 2024 and
Crl.M.P.No.14922 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.1814 of 2024 and
Crl.M.P.No.14922 of 2024

P.Ramesh

... Petitioner

Vs.

S.Chinnadurai

... Respondent

Prayer: Criminal Revision Case filed under Section 397 read with 401 Cr.P.C. to set aside the order dated 04.09.2024 made in Crl.M.P.No.12591 of 2024 in C.C.No.2031 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai -600 015.

For Petitioner	: Mr.R.Nandakumar
For Respondent	: Mr.D.Nandhagopal



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ORDER

This Criminal Revision Case has been filed by the petitioner to set aside the order dated 04.09.2024 made in Crl.M.P.No.12591 of 2024 in C.C.No.2031 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai -600 015.

2. The learned counsel for the petitioner submitted the respondent has filed a private complaint against the petitioner under Section 200 Cr.P.C. for the offence under Sections 138 and 142 of Negotiable Instruments Act in C.C.No.2031 of 2016 on the file of the Metropolitan Magistrate, Fast Track Court-V, Saidapet, Chennai. Pending case, the petitioner filed a petition in Crl.M.P.No.12591 of 2024 before the Magistrate for cross examination of witnesses on the side of defense, but the same was dismissed by order dated 04.09.2024. Hence, challenging the same the present revision is filed.

3. The learned counsel for the respondent submitted that the Magistrate



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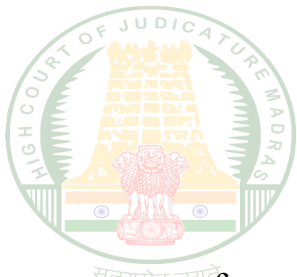
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had given sufficient opportunity to the petitioner, however, the petitioner did not utilize the same and the only motive of the petitioner is to drag on the proceedings. However, he has no serious objection in setting aside the impugned order.

4. Heard both sides and perused the materials available on record.

5. The main grievance of the respondent is that the petitioner is filing petition after petition and not allowing the Magistrate to complete the main proceedings. However, in the interest of justice and in order to give an opportunity to the petitioner/accused to take evidence on his side as defense evidence, the impugned order is set aside.

6. The Magistrate is directed to issue summons to the witnesses and also examine the witnesses on 07.04.2025. Both side counsel are directed to cross-examine the witnesses on the same day. Both the parties and their counsel are directed to extend their fullest co-operation or else, they would lose their right



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of examination/cross examination of the witnesses.

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7. After examining/cross-examining the witnesses on 07.04.2025, the Magistrate is directed to hear the arguments from 09.04.2025 and dispose of the main case itself in C.C.No.2031 of 2016 on merits and in accordance with law on or before 21.04.2025 and file a report before this Court on or before 24.04.2025.

8. With the above directions this Criminal Revision Case is disposed of.

9. List the matter on 24.04.2025 "**for reporting compliance**".

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To
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The Metropolitan Magistrate, Fast Track Court-V,
Saidapet, Chennai -600 015.



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P.VELMURUGAN. J.

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