



CrI.O.P.No. 3139 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 07.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.3139 of 2025

P. Praveen Kumar

.... Petitioner

Vs

P.Shanmugam

.... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2025, to set aside the order passed by the learned V Metropolitan Magistrate, Fast Track Court, Saidapet, Chennai – 15 in petition under Section 145 of Negotiable Instrument Act in CrI.M.P.No.14919 of 2024 dated 05.09.2024 in S.T.C.No.364 of 2020.

For Petitioner : Mr.L.Kanimozhi

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the learned V Metropolitan Magistrate, Fast Track Court, Saidapet, Chennai – 15 in petition under Section 145 of Negotiable Instrument Act in CrI.M.P.No.14919 of 2024 dated 05.09.2024 in S.T.C.No.364 of 2020.

2. The petitioner is an accused on the complaint lodged by the



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respondent for the offence under Section 138 of Negotiable Instruments

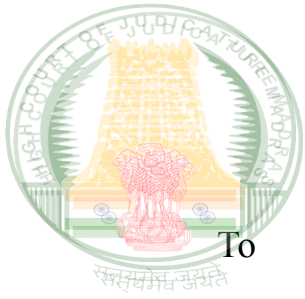
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Act. On perusal of the record, it reveals that the petitioner filed petition under Section 145 Negotiable Instrument Act to cross examine the PW1 and the same was allowed but the petitioner has not come forward to cross examine the PW1, therefore the opportunity for cross examining the PW1 was closed on 08.02.2024, further the counsel for the petitioner closed the defense evidence on 15.06.2024, again the petitioner filed a petition on 02.08.2024 to cross examine the PW1. Therefore, it is nothing but to drag on the proceedings and the Trial Court had rightly dismissed the petition filed by the petitioner under Section 311 of Cr.P.C to recall P.W.1.

3. In view of the above, this Court finds no infirmity or illegality in the order dated 05.09.2024 passed in Crl.MP No.14919 of 2024 in STC No.364 of 2020, by the learned V Metropolitan Magistrate Fast Track Court, Saidapet, Chennai. Accordingly, this Criminal Original Petition stands dismissed.

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Index:Yes/No



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The V Metropolitan Magistrate,
Fast Track Court, Saidapet,
Chennai – 15



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G.K.ILANTHIRAIYAN, J.

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