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CRL OP Nos. 25711 and 2571
of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP Nos. 25711 and 25718 of 2025 &
Crl.M.P.Nos.17453 and 17456 of 2025**

A.Amutha

Petitioner in both the petitions

Vs

M.Raji

Respondent in both the petitions

PRAYER in Both the Petitions

Criminal Original Petitions filed under Section 528 of BNSS Act to set aside the Docket order dated 13.08.2025 made in unnumbered Crl.M.P.(S.R.) Nos.7580 and 7581 of 2025 in S.T.C. No.597 of 2022 on the file of learned Judicial (Fast Track) Magistrate Court-Poonamallee, by allowing the original petitions and consequently direct the Judicial Magistrate (Fast Track) Court, Poonamallee to take the petitions on the file and pass order within the time stipulated by this Court and thus render justice.

For Petitioner(s): Mr.R.Nandakumar



COMMON ORDER

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2. The petitioner challenges the order of the trial court returning the applications filed to examine the defence witnesses and to file certain documents. The trial court has returned the applications on the ground that similar petitions already filed in C.M.P.No.1449 of 2023 and the same have been dismissed on 03.04.2024, once again, the same applications have been filed and there is no change in circumstances, thereby dismissed the petitions as not maintainable.

3. I have heard the learned counsel appearing for the petitioner and perused the documents placed on record.

4. Earlier, in C.M.P.No.1449 of 2023, the petitioner sought to examine the defence witness in her side, after detail discussions, the trial court has rejected the contention of the petitioner. The petitioner is an accused in a private complaint instituted for offence under Section 138 of Negotiable Instruments Act, therefore, taking note of the statutory presumption available to the cheque, the trial court declined the request of the petitioner at the initial stage. The



order rejecting the applications to examine the defence witness was dismissed and reached finality.

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5. Again, on the same ground, once gain other applications have been filed, which has been rightly returned by the trial court. As the order has already reached finality, successive applications on the same ground cannot be permitted. I do not find any merits in the petitions. Accordingly, the present petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

19-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssd

To

The Judicial Magistrate,
Fast Track Court, Poonamallee.



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N.SATHISH KUMAR J.

ssd

**CRL OP Nos. 25711 and
25718 of 2025**

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