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Crl.O.P.Nos.2045 and 2048 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.Nos.2045 and 2048 of 2025

Mopuri Sreenivas Kiran

... Petitioner
in both Crl.OPs

Vs.

Peddireddy Rajasekhar Ravou

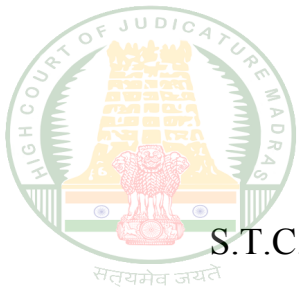
... Respondent
in both Crl.OPs

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to Crl.M.P.Nos.1517 of 2024 and 1516 of 2024 in S.T.C.No.19 of 2020 on the file of the Judicial Magistrate, Yanam and set aside the order dated 06.12.2024 by allowing this petition.

For Petitioner : Mr.K.Balasubramaniam
in both Crl.OPs

COMMON ORDER

These Criminal Original Petitions are filed to call for the records and set aside the order in Crl.M.P.Nos.1517 of 2024 and 1516 of 2024 in



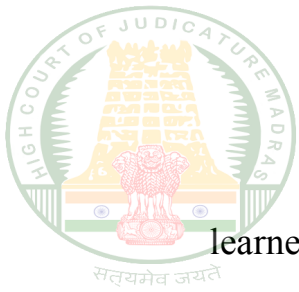
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S.T.C.No.19 of 2020, dated 06.12.2024 on the file of the Judicial

Magistrate, Yanam.

2. The petitioner is the sole accused and is facing trial for the alleged offences under Sections 138 A and 142 of Negotiable Instruments Act in S.T.C.No.19 of 2020 on the file of the Judicial Magistrate Court, Yanam. During trial, the petitioner/accused has filed petitions in Crl.M.P.Nos.1517 of 2024 and 1516 of 2024 under Section 311 Cr.P.C., praying to re-open the complainant's side evidence and re-call P.W.1 and P.W.2 for further cross examination. The learned Judicial Magistrate, *vide* common order dated 06.12.2024, dismissed the said petitions. Aggrieved by the same, the present petitions have been filed by the petitioner/accused.

3. Learned counsel for the petitioner submitted that some more material points have to be posed in the cross examination of P.W.1 and P.W.2 and the same are not placed at the time of cross examination of P.W.1 and P.W.2, due to some inadvertent circumstances and hence, the petitioner filed the petitions to re-open the complainant's side evidence and re-call P.W.1 and P.W.2 for further cross examination, however, the



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learned Judicial Magistrate, without considering the above reasons,

dismissed the petitions.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. On a perusal of the records and also the impugned order it is seen that the learned Judicial Magistrate dismissed the petitions on the ground that sufficient opportunities were given to the petitioner to cross examine the prime witness/P.W.1 and P.W.2, even after completion of cross examination, when the matter was reserved for judgment and only to protract the case, the petitioner has filed the petitions with vague material points.

6. In the above facts and circumstances, this Court does not find any illegality or infirmity or irregularity in the order passed by the Court below. Accordingly, the Criminal Original Petitions are dismissed.

28.01.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

The Judicial Magistrate,
Yanam.



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P.VELMURUGAN, J

ms

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