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CRL OP No. 27712 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 27712 of 2025
and CRL MP.No.18825 of 2025**

S.Rangarajan

Petitioner(s)

Vs

D.Magesh Kumar

Respondent(s)

PRAYER

To set aside the order in CrI.M.P.No.692/2025 in STC No.260/2021 dated 16.09.2025 on the file of the Honble Judicial Magistrate, Fast Track Court, (Magisterial Level), Ambattur.

For Petitioner(s): Mr.S.Shanmuga Velayutham,
Senior Counsel
for Mr.R.Dineshkumar



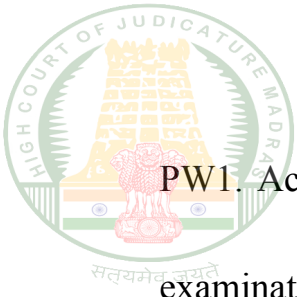
ORDER

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This petition has been filed to set aside the order dated 16.09.2025 in Crl.M.P.No.692/2025 in STC No.260/2021 on the file of the Judicial Magistrate, Fast Track Court, (Magisterial Level), Ambattur.

2. It is the case of the petitioner that the respondent has filed a complaint against the petitioner under Section 138 of Negotiable Instruments Act for dishonor of cheque. While cross examination of PW1 earlier, the respondent has not produced bank statement and the cross-examination was adjourned. Thereafter, a Bank Statement and reply notice have been marked as exhibits and evidence was closed. The petitioner has not been given any opportunity, hence he seeks an opportunity to cross examine PW1 with regard to the entries before that entire amount has been discharged.

3. In such view of the matter, considering the fact that as the statement was already come on record and the statement is not in dispute, this Court is of the view that one opportunity should be given to the petitioner to cross examine



PW1. Accordingly, the Trial Court shall recall PW1 and fix a date for cross examination and on that day, the petitioner shall cross examine PW1.

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4. With the above direction, this petition is allowed. Consequently, connected miscellaneous petition is closed.

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pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.SATHISH KUMAR J.

pvs

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