



CrI.O.P.(MD)No.10576 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2025

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.10576 of 2025

Kunvarjosuvaavalavan

... Petitioner

versus

Muthukrishnan

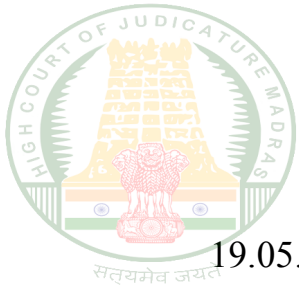
... Respondent

Prayer : Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order passed by the learned Judicial Magistrate No.I, Dindigul, dated 19.05.2025 made in CrI.M.P.No.15493 of 2024 and further direct the learned Judicial Magistrate No.I, Dindigul, to reopen and recall the witnesses P.W.2 and cross examine them in the interest of justice.

For Petitioner : Mr.K.Arunraj

ORDER

The petitioner, who is the sole accused in C.C.No.289 of 2020, has filed this petition, challenging the order passed by the learned Judicial Magistrate No.I, Dindigul, in CrI.M.P.No.15493 of 2024 dated



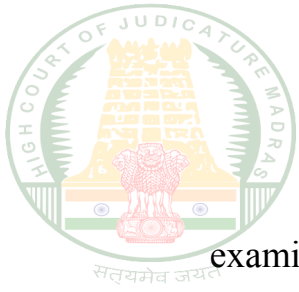
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19.05.2025.

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2. The respondent herein has lodged a complaint against the petitioner in C.C.No.289 of 2020 for the offence under Section 138 of the Negotiable Instruments Act. During the trial, the petitioner has failed to cross examine P.W.2-Bank Manager, who was present for cross examination on 09.08.2024 and 09.09.2024. Therefore, he has filed a petition under Section 348 of BNSS (Section 311 of Cr.P.C) to re-call P.W.2-Bank Manager for the purpose of cross examination. The learned Judicial Magistrate No.I, Dindigul, by his order dated 19.05.2025, in CrI.M.P.No.15493 of 2024, dismissed the said petition. Challenging the same, the petitioner has filed this petition.

3. It appears that the petitioner has not assigned any reason for what purpose he has to cross examine P.W.2-Bank Manager. Further, the case is at the stage of arguments. At this stage, the petitioner has moved the petition for re-calling P.W.2-Bank Manager, who was present for cross examination on 09.08.2024 and 09.09.2024. Considering the conduct of the petitioner in not assigning any reason for not cross



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examining P.W.2 on 09.08.2024 and 09.09.2024 and also not assigning any reason for re-calling P.W.2, the trial Court, by its order 19.05.2025, has dismissed the said petition. Therefore, there is no reason to interfere with the order of the trial Court.

4. Accordingly, this Criminal Original Petition is dismissed.

24.06.2025

Index : Yes / No.
Internet : Yes / No.
NCC : Yes / No.
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To

1. The Judicial Magistrate Court No.I,
Dindigul.



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B.PUGALENDHI, J.

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