



Crl.R.C.(MD)No.446 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.446 of 2025

and

Crl.M.P(MD)No.4608 of 2025

N.Praveen Kumar

... Petitioner

Vs.

P.Sakthivel

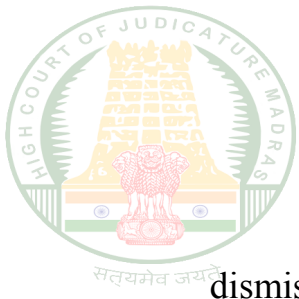
... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 of BNSS., to call for the records relating to the order, dated 04.11.2024 in Crl.M.P.No.651 of 2024 in C.C.No.50 of 2019 by the learned Judicial Magistrate (FTC) (Magisterial Level) Karur and set aside the same.

For Petitioner : Mr.T.Veldurai

ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.651 of 2024 in C.C.No.50 of 2019, dated 04.11.2024 on the file of the learned Judicial Magistrate (FTC) (Magisterial Level) Karur,



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dismissing the petition seeking orders to reopen the defence side evidence.

2. The respondent has filed a private complaint under Section 200 Cr.P.C., against the petitioner for the offence under Section 138 of Negotiable Instruments Act. It is evident from the records that after the closure of the complaint side evidence, the case was adjourned for defence side evidence on 17.10.2023; that thereafter, the petitioner has filed an application to recall P.W.1 and P.W.2 for cross examination; that since the cross examination was not done, their evidence was ordered to be closed; that subsequently, the petitioner filed another application again to recall P.W.1 and P.W.2, which came to be dismissed; that when the case was pending for defence evidence, the petitioner has produced list of witnesses and since the petitioner has not adduced any evidence, despite granting sufficient time, their evidence was ordered to be closed on 04.06.2024; that when the case was pending for arguments, he filed another application to reopen the defence side evidence in Crl.M.P.No. 217 of 2024, which came to be allowed with conditions; that thereafter, the petitioner has not chosen to adduce evidence, despite getting several



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adjournments and hence, the defence evidence was closed and posted to 01.10.2024 for arguments and that when the case was pending arguments on the side of the petitioner, the present application came to be filed.

3.The learned Judicial Magistrate, taking note of the proceedings has rightly come to a decision that the above petition has been filed only to drag on the proceedings and nothing more. Considering the above, the impugned order, dismissing the petition cannot be found fault with. Hence, this Court concludes that the Criminal Revision is devoid of merits and the same is liable to be dismissed.

4. In the result, this Criminal Revision is dismissed. Since the case is pending from 2019, the learned Judicial Magistrate (FTC) (Magisterial Level) Karur, is directed to proceed with the trial and dispose of the same within a period of two months from the date of receipt of copy of this order. Consequently, connected Miscellaneous Petition is closed.

07.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

The Judicial Magistrate (FTC) (Magisterial Level)
Karur.

Order made in
Crl.R.C.(MD)No.446 of 2025
and
Crl.M.P(MD)no.4608 of 2025

Dated: 07.04.2025