



WEB COPY

CRL OP No. 15953 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 15953 of 2026

M/s. Ashok Automation
Rep. by its Prop. Ashok Raja,
S/o. Vijayarangam,
aged about 43 years,
No.114, Thiagaraja Street, Puducherry and
Having business at Old No.62, New No.227,
S.V. Patel Salai, Puducherry-605001.

..Petitioner(s)

Vs

Jagadeesan

..Respondent(s)

To set aside the Order dated 13-10-2025, passed in M.P. No.1 of 2025 in STC No.2423 of 2021 and consequently allow M.P. No.1 of 2025 in STC No.2423 of 2021 on the file of Honorable Fast Track Magistrate Level (NI Act), Pondicherry by permitting the Petitioner to cross examine the Respondent within the stipulated period by this Honorable Court.

For Petitioner(s):

Mr.N.Sivaprakash

ORDER

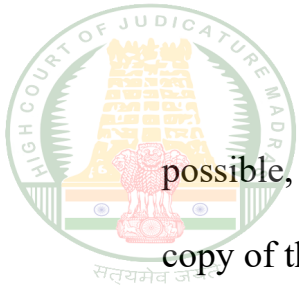
The petitioner/accused, who is facing prosecution for the offence under Section 138 of Negotiable Instruments Act, filed a petition in Crl.MP.No.1 of 2025 in STC.No.2423 of 2025 seeking recall of PW1. The Trial Court, by order dated 13.10.2025 dismissed the said petition. Challenging the same, the present petition has been filed.



2. The learned counsel for the petitioner submitted that the petitioner is ready to cross-examine the witness on the date of his appearance and is also willing to bear any costs that may be imposed by this Court.

3. On a perusal of the materials available on record and considering the submissions made on either side, it is seen that neither before the Trial Court nor before this Court, has any valid reason been assigned for recalling PW1. A perusal of the impugned order, further reveals that the petitioner had earlier filed a petition under Section 311 Cr.P.C. in CMP.No.1004 of 2023 seeking recall of PW1. Pursuant thereto, PW1 was recalled and cross-examined on 13.06.2025 and 18.06.2025 and the cross-examination was completed. Thereafter, the case was posted on 17.07.2025, however, the petitioner once again filed a petition under Section 311 Cr.P.C. to recall PW1. The Trial Court, finding that no reason had been assigned for filing successive petitions for recall of the witness, rightly held that such a course was not proper and dismissed the petition.

4. In view of the above, this Court finds that the order passed by the Trial Court is proper and does not warrant any interference. Accordingly, this Criminal Original Petition is dismissed. Considering that the case is of the year 2021, the Trial Court is directed to complete the trial as expeditiously as



possible, preferably within a period of three months from the date of receipt of a copy of this order.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To
The Fast Track Magistrate Level (NI Act), Pondicherry



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M.NIRMAL KUMAR, J.

PVS

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