



WEB COPY

CRL OP No. 7243 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 7243 of 2026
& CRL MP No.5264 of 2026**

Selvam
S/o.Santhyagu,
Old No.280, New No.202,
Surya Narayana Chetty Street,
Kasimedu, Chennai - 600 013.

..Petitioner(s)

Vs

N.Nemichand Bhansali
S/o.Late Natmal,
No.53/23, Thandavaraya Gramani Street,
Tondiarpet, Chennai - 600 081.

..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, to set aside the order passed in CrI.M.P.No.7324/2025 in S.T.C.No.1799 of 2024 dated 11.02.2026 on the file of the IV Fast Track Court (Magistrate Level), George Town, Chennai and thus render justice.

For Petitioner(s): Mr.G.Mohana Krishnan

ORDER

The petitioner is facing trial in STC.No.1799 of 2024 on the complaint filed by the respondent under Section 138 of NI Act. The petitioner had filed a petition under Section 311 of Cr.P.C., in CrI.M.P.No.7324 of 2025 for recall of PW1 and to cross-examine PW1. The trial Court dismissed the said petition by the order dated 11.02.2026, against which, the present petition has been filed.



2. On a perusal of the records, it is seen that the respondent/complainant had examined himself on chief on 23.10.2024 and thereafter, the case was posted for cross-examination of PW1 and sufficient opportunities has been given to the petitioner and the respondent was ready for cross-examination from 21.11.2024 to 22.08.2025. However, the petitioner had not cross-examined PW1. It is also to be seen that earlier the petitioner had filed a petition under Section 311 of Cr.P.C., and the trial Court had allowed the petitioner to cross-examine PW1 on payment of cost by order dated 22.08.2025, but, the petitioner had not chosen to cross-examine PW1. It is further seen that the petitioner has already cross-examined PW1/complainant. His only plea is that he wants to further cross-examine PW1.

3. From the impugned order and on perusal of records, it is seen that the petitioner has been granted sufficient opportunity to cross-examine PW1 more than once. In view of the same, this Court does not find any reason to interfere with the impugned order. Accordingly, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

24-03-2026

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



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To

The IV Fast Track Court (Magistrate Level),
George Town, Chennai



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M.NIRMAL KUMAR, J.

TSG

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