



WEB COPY

CRL OP No. 8882 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8882 of 2026

Velocity, Creative Studios
Rep.by C.K.Muthukumar,
No.40, Karunanithi 2nd Street,
Taramani,
Chennai - 600 013.

..Petitioner(s)

Vs

Kotak Mahindra Bank Limited,
Rep.by its Authorized Signatory,
M.Vimalraj TVH Agnitio park,
8th Floor,
141, Old Mahabalipuram Road,
Kandhanchavadi,
Chennai - 600 096.

..Respondent(s)

To set aside the said order dated 09.03.2026 in Crl.M.P.No.367/2026 in STC.No.13318/2023 on the file of the learned XXV Metropolitan Magistrate Court, Egmore, Magistrate Court, Chennai consequently permit the petitioner to recall PW1 for further Cross – examination.

For Petitioner(s):

Mr.P.Praveen Kumar



ORDER

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This Criminal Original Petition has been filed seeking to set aside the order dated 09.03.2026 in CrI.M.P.No.367/2026 in STC.No.13318/2023 on the file of the learned XXV Metropolitan Magistrate Court, Egmore, Magistrate Court, Chennai and consequently to permit the petitioner to recall PW1 for further Cross-examination.

2. The respondent filed a complaint against the petitioner for the alleged offence under Section 138 of the Negotiable Instruments Act, in STC.No.13318 of 2023 on the file of the XXV Metropolitan Magistrate Court, Egmore, Magistrate Court, Chennai. The complainant examined himself as PW1 and marked documents as Ex.P1 to P5.

3. It is seen that the complaint was filed in the year 2023 and the case has been periodically adjourned. Though examination of the witness and cross-examination were completed, thereafter, the case was posted for arguments on 26.11.2025, 10.12.2025 and 19.12.2025. On 08.10.2025, the petitioner was questioned under Section 313 Cr.P.C. and defence side evidence was closed on 05.12.2025. Subsequently, the case has been posted for hearing of arguments. However, the petitioner belatedly filed the present recall petition on 09.01.2026 without assigning any valid reason.



4. Considering the submissions of the learned counsel for the petitioner and on perusal of records, this Court finds no valid reason to entertain this petition. Accordingly, this petition is dismissed.

09-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

PVS

To

1. XXV Metropolitan Magistrate,
Egmore, Magistrate Court, Chennai
2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

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