



WEB COPY

CRL OP No. 9282 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 9282 of 2026
and CRL.MP.No.6552 of 2026**

Indira

..Petitioner(s)

Vs

Jayanthi

..Respondent(s)

To set aside the docket order dt. 07.02.2026 passed in CrI.M.P.No. 3912/2025 in S.T.C.No. 470/2024 on the file of the Judicial Magistrate of Vaniyambadi and pass such further or other orders as this Honble Court.

For Petitioner(s): Mr.S.Santhan

ORDER

The petitioner, who is accused in C.C.No.167 of 2022, is facing trial for the offence under Section 138 of Negotiable Instruments act. At the stage of defence, the petitioner filed a list of eight witnesses under Section 243 Cr.P.C./Section 266 BNSS. The Trial Court by order dated 07.02.2026 permitted examination of DW1 to DW3 and dismissed the request insofar as DW4 to DW8 are concerned. Aggrieved over the same, the present petition has been filed.



2. The contention of the petitioner is that she had lodged a complaint against the respondent before the District Crime Branch, Vellore alleging cheating of money. The respondent has given a counter complaint before the District Crime Branch, Tirupattur, by misusing the cheque leaves obtained from the petitioner and her husband as if they had borrowed money from her.

3. According to the petitioner, in order to prove the motive to establish that the cheque was not issued in discharge of any liability, examining of the following witnesses is necessary. The Branch Manager of Federal Bank is sought to be examined to speak about the transactions of the respondent complainant. Further, the Divisional Regional Officer and the Branch Manager of SBI Life Insurance were sought to be examined to show that the petitioner had only a professional relationship with SBI Life Insurance agent and nothing more.

4. A perusal of the impugned order show that the Trial Court dismissed the request to summon DW4 to DW8 on the ground that no sufficient material was produced by the petitioner justifying to examine DW4 to DW8 as witnesses. The petitioner had produced the cross examination of evidence of PW1. From which, it is seen that the PW1 had admitted with regard to the complaint given by the petitioner before the DCB Vellore and the counter



complaint given before the DCB Tirupattur. and also accepted the dates on which she was examined. The Police complaint was closed finding that the complaint is not genuine. To establish these facts, the petitioner seeks to examine the said witnesses.

5. However, it is seen that the petitioner has already been permitted to examine herself as DW1. The petitioner can get in to the box and give all the details and materials available to substantiate her defence. Thereafter, if necessity arises, the petitioner is at liberty to renew the application seeking summons to the remaining witnesses, namely DW4 to 8.

6. With the above observations, this Criminal Original Petition is dismissed.

15-04-2026

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

To
The Judicial Magistrate, Vaniyambadi



WEB COPY

CRL OP No. 9282 of 2



M.NIRMAL KUMAR, J.

PVS

CRL OP No. 9282 of 2026

15-04-2026