



WEB COPY

CRL OP No. 6187 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6187 of 2026
and CrI.O.P.No.4584 of 2026

1. M/s.UVS Pharmaceuticals
(Rep. by its Proprietor and authorized signatory
A.Paulraj)
65, Sri Rama Complex,
Indra Nagar, Sugam Bypass Road,
Coimbatore - 641045.
2. A.Paulraj
Son of Arokiam,
(Proprietor and authorized signatory
M/S.UVS Pharamaceuticals),
65, Sri Rama Complex,
Indra Nagar, Sugam Bypass Road,
Coimbatore - 641 045.

..Petitioners

Vs

Nithiyanandam

..Respondent

PRAYER: The Criminal Original Petition filed under Section 528 of BNSS, 2023, to set aside the order dated 31.07.2025 passed by the learned Judicial Magistrate, Additional Mahila Court, Namakkal District in CMP.No.7 of 2025 in S.T.C.No.801 of 2024.

For Petitioner(s):

Mr.B.Vasudevan

ORDER

The present Criminal Original Petition is filed to set aside the order dated 31.07.2025 passed in CMP.No.7 of 2025 in S.T.C.No.801 of 2024 by the



learned Judicial Magistrate, Additional Mahila Court, Namakkal District.

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2. The petitioners are the accused facing trial on a complaint filed by the respondent for the offence under Section 138 of the Negotiable Instruments Act, 1881 in S.T.C.No.801 of 2024 on the file of the learned Judicial Magistrate, Additional Mahila Court, Namakkal. The second petitioner filed a petition under Section 311 of Cr.P.C. to recall D.W-1 to file additional proof affidavit and additional document on his side. The trial Court, by order dated 31.07.2025 had dismissed the same. Challenging the same, the present Criminal Original Petition has been filed.

3. The contention of the petitioners is that the second petitioner had examined D.W-1 to D.W-5. According to the second petitioner, D.W-5 Krishnamoorthy and the complainant in collusive manner had filed the complaint. Further, though the Bank Manager of the petitioners had been examined as D.W-4, he had not produced the complete statement of accounts. Hence, the petitioners have to produce their statement of accounts and also to depose the fact that the said Krishnamoorthy and the complainant had come to the Court together and filed the complaint.

4. Heard the learned counsel for the petitioners and the order dated 31.07.2025 passed by the learned Judicial Magistrate, Additional Mahila Court,



Namakkal District in CMP.No.7 of 2025 in S.T.C.No.801 of 2024.

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5. On perusal of the impugned order, it is seen that the petitioners were given sufficient opportunity. The complainant side evidence closed and documents marked and thereafter, the second petitioner had examined five witnesses including himself. When examining five witnesses, he had not put any questions to D.W-2, D.W-4 the Bank Manager or D.W-5 with regard to the contentions raised now. Further, the trial Court had observed that almost one year time has been taken by the petitioners to produce defence witness and again filing this petition is nothing but further protracting the proceedings.

6. In view of the above, this Court is of the opinion that the trial Judge had rightly dismissed the petition to recall D.W-1 to file additional proof affidavit and additional documents on his side. Hence, this Court is not inclined to interfere with the said order. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

11-03-2026

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



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To

The Judicial Magistrate,
Additional Mahila Court,
Namakkal District

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M.NIRMAL KUMAR, J.

SRM

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