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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 31507 of 2026 and
Crl.M.P.No.20885 of 2026

CNR: {HCMA012591672026}

Mahesh Devaraj
S/o Arul Doss,Senior Accountant,
Accounts Department,Carrom Player,No.361,
Anna Salai, AGS Office
Complex,Teynampet,Chennai.

..Petitioner(s)

Vs

M/s Kothari Investment
Rep by its Proprietor,
Mr.G.Anilkumar,S/o S. Goutam Chand,
No.29, Arunachala Naicken
Street,Chindatripet,Chennai.

..Respondent(s)

Prayer: This petition is filed under section 528 of BNSS to set aside the order passed by the learned VIII Metropolitan Magistrate/VIII Judicial Magistrate, George Town, Chennai in Crl MP NO.1660 of 2026 in CC No. 698 of 2019 dated 5-10-2026 and to pass such or other orders as this Honorable Court.

For Petitioner(s): Mr.S.N.Arunkumar

ORDER

This petition has been filed challenging the order passed by the learned VIII Metropolitan Magistrate/VIII Judicial Magistrate, George Town, Chennai in Crl Mp No.1660 of 2026 in CC No. 698 of 2019 dated 5-10-2026 thereby dismissing the petition to recall PW1 for further cross examination.

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2. Heard both sides and perused the materials available on record.

3. On perusal or records it is seen that the petitioner is an accused in the complaint lodged by the respondent under section 138 of the Negotiable Instruments Act. During the trial P.W1 was examined and also cross examined by the accused. After a period of 7 years the petitioner once against wants to cross examine P.W.1 and filed a petition to recall P.W.1 for further cross examination that too when the matter is posted for defence side witnesses. On perusal of the impugned order, this Court finds that the learned Judicial Magistrate has considered the materials placed before the Court and passed the order in accordance with law.

4. Therefore, this Court finds no infirmity or illegality in the order dated 5-10-2026 passed by the learned VIII Metropolitan Magistrate/VIII Judicial Magistrate, George Town, Chennai in Crl MP NO.1660 of 2026 in CC No. 698 of 2019.

5.Accordingly, this Criminal Original Petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

29-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
smn
Note: The registry is directed to return the orignal documents, if any to the petitioner

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To.

The VIII Metropolitan Magistrate/VIII Judicial Magistrate, George Town, Chenna

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G.K.ILANTHIRAIYAN, J.

SMN

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