

IN THE COURT OF THE JUDICIAL MAGISTRATE, THIRUVAIYARU

Present: SELVI. S. AGNES JEBA KIRUBA, M.L.,
JUDICIAL MAGISTRATE, THIRUVAIYARU

On this the 27th day of March – 2026, Friday

M.P.No. 1 /2025

in

STC.305 / 2023

Sivaskar

.... Petitioner/ Accused

–/Vs/–

Baskar

.... Respondent/ Complainant

ORDER

The petition has been filed by the petitioner/accused, under Section 315 Cr.P.C, to permit him to produce evidence on his side.

It is stated in the petition that the petitioner is to examine the witness mentioned in the petition to disprove the case against him. In the list of witness, the bank manager of Equitas Bank is mentioned as witness.

In the counter filed by the respondent/ complainant, it is stated that the petition has been filed to drag the proceedings, after getting many adjournments for producing Defence side witnesses, the present application filed without any valid reasons. Hence, prays for dismissal of the petition.

This court carefully considered the rival contentions raised by both sides. Records perused. It is stated by the complainant that the accused, to repay the loan given , gave the cheque, knowingly that he has no funds in the account. From the records, the case of the accused is that the cheque has been issued only as a security. The transaction proceeding using the cheque has not been questioned. No specific reasons stated in the petition for examining the bank branch manager in this case. Further Section 315 empowers the accused to be a competent witness. Here in this petition, the accused has not sought for his examination in this case. Hence, this court feels that examining the bank manager, of Equitas small finance Ltd, is not necessary in this case.

In the result, (i) This petition is dismissed.

(ii) No costs.

Typed by me in the computer in chamber, checked, corrected and pronounced by me in open court on 27th day of March, 2026.

**JUDICIAL MAGISTRATE,
Thiruvaiyaru.**