



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

CRIMINAL PETITION NO. 16735 OF 2025

BETWEEN:

1. SRI. J. KONDAPPA NAIDU
S/O LATE J. PULLAIAH NAIDU,
AGED ABOUT 54 YEARS,
PARTNER, M/S PUNNAMAI PROPERTIES,
PRESENTLY HAVING OFFICE AT
FLAT NO.406, 1ST FLOOR,
8TH MAIN, I BLOCK, HRBR LAYOUT,
KALYANAGAR POST, BANGALORE - 560 043.
2. M/S PUNNAMAI PROPERTIES,
PRESENTLY HAVING OFFICE AT
FLAT NO.406, 1ST FLOOR,
8TH MAIN, I BLOCK, HRBR LAYOUT,
KALYANAGAR POST,
BANGALORE - 560 043
REPRESENTED BY IT PARTNERS
PETITIONER-1 AND RESPONDENT NO2.

...PETITIONERS

(BY SRI. LAKSHMIPATHI V.M, ADVOCATE)

AND:

1. SRI. MYLAR SADANANDA BELURU (HUF)
REPRESENTED BY SRI. MYLAR B.S, KARTHA
AGED ABOUT 39 YEARS,



R/AT NO.7, EAST OF LINK ROAD,
"A" STREET, MALLESHWARAM,
BANGALORE - 560 003.

2. SRI. PRUTHVISH BABU. N,
S/O NANJA REDDY,
PARTNER, M/S PUNNAMAI PROPERTIES,
NO.59, NEAR PRIMARY GOVERNMENT SCHOOL,
SARJAPURA,
BIKKANAHALLI,
HANDENAHALLI,
ANEKAL - 562 125.

...RESPONDENTS

(BY SRI. MANJUNATH C.G, ADVOCATE)

THIS CRL.P IS FILED U/S 482 OF CR.PC (FILED U/S 528 BNNS) PRAYING TO SET ASIDE THE ORDER DATED 13.11.2025 PASSED BY THE XXII ADDITIONAL SMALL CAUSES JUDGE AND ACJM, MEMBER, MACT, BENGALURU, (SCCH. 24) IN C.C.NO. 10322/2022, WHICH REJECTED THE PETITIONERS APPLICATION FOR RE-CALLING OF PW-1 (COMPLAINANT) AND ALLOW THE PETITIONER'S APPLICATION FOR RE-CALLING OF COMPLAINANT/PW-1 AND THE PETITION AND ETC.,

THIS PETITION, COMING ON FOR ADMISSION, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

ORAL ORDER

The petitioners are before this Court calling in question an order dated 13.11.2025, which rejects the application filed by the petitioners under Section 311 of the Cr.P.C seeking recalling of the complainant for further cross-examination.

2. Heard Sri. Lakshmipathi V.M., learned counsel appearing for the petitioners and Sri. Manjunath C.G., learned counsel appearing for respondent No.1.

3. The petitioners are accused Nos.1 and 2. The respondent is the complainant. They both have a transaction. The transaction goes wrong with regard to dishonour of a cheque and the complainant is before the concerned Court invoking Section 200 of the Cr.P.C. The issue in the *lis* is not with regard to the merit of the respective claims. The petitioner files an application under Section 311 of the Cr.P.C., second in line for seeking further cross-examination of the complainant/PW-1, this comes to be rejected on the score that it was a second application that is filed long after the cross-



examination that was once over and the stage when the matter was set at the Section 313 of the Cr.P.C. statement.

4. The learned counsel appearing for the petitioners submits that if one opportunity is granted, he would further cross-examine the complainant of several factors that are brought out later in evidence after the cross-examination.

5. In that light, I deem it appropriate to grant one opportunity to the petitioner on a particular day for the concerned Court to fix and on the same day to conclude the cross-examination of the complainant.

6. For the aforesaid reasons, the following:

ORDER

- (i) The criminal petition is ***allowed***.
- (ii) The order dated 13.11.2025 passed by the XXII Additional Small Causes Judge and ACJM, Member, MACT, Bengaluru stands quashed.
- (iii) The application filed by the petitioners under Section 311 of the Cr.P.C. stands allowed.



- (iv) The concerned Court shall fix a date for further cross-examination of the complainant/PW-1 and the said cross-examination shall conclude on the same day.
- (v) The concerned Court shall oversee that the allowing of the application cannot be taken advantage, as a ruse to drag the proceedings.

Sd/-
(M.NAGAPRASANNA)
JUDGE

JY
List No.: 2 SI No.: 3