

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1292 of 2016

and

Crl.M.P.No.11576 of 2016

Chellaiyan

S/o.Vadivel Ganapathy

... Petitioner

Vs.

V.K.Ramachandran

S/o.Krishnakumar

... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the order of learned District Munsif cum Judicial Magistrate, Vedaranyam, passed in Crl.M.P.No.573 of 2016 in C.C.No.153 of 2013 on 26.08.2016.

For Petitioner : Mr.S.Nagarajan

ORDER

This revision arises against the order of learned District Munsif cum Judicial Magistrate, Vedaranyam, passed in Crl.M.P.No.573 of 2016 in C.C.No.153 of 2013 on 26.08.2016.

2. By way of Crl.M.P.No.573 of 2016 in C.C.No.153 of 2013, the petitioner, who is accused of offence u/s.138 of the Negotiable Instruments Act, has sought examination of the cheque by an expert towards informing the age of the ink, he not disputing the issue of the cheque by him. Court below, under the impugned order, dismissed such petition. Hence, this revision.

3. Heard learned counsel for petitioner.

4. A reading of the order of the Court below informs that in a case of the year 2013, the case had been adjourned for more than half a dozen times after the questioning of the petitioner u/s.313 Cr.P.C. and for examination of petitioner witnesses. No witness has been produced by the petitioner and thereafter, a petition u/s.311 Cr.P.C. towards recall of prosecution witness has been allowed and again, on half a dozen occasions, the matter has been posted for examination of petitioner witnesses and nothing there regards has been done by the petitioner. At the fag end of proceedings, the petitioner had filed the petition only towards protracting the proceedings. Taking note of the factual circumstances and also the fact that presently there is no facility available for determination of age of ink, Court below had dismissed the petition. This Court finds no error in the order under challenge.

The Criminal Revision Case is dismissed. Connected miscellaneous petition is closed.

16.12.2016

Index:yes/no
Internet:yes/no
gm

To

The District Munsif cum Judicial Magistrate,
Vedaranyam.

C.T.SELVAM, J

gm

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