



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.R.C.NO.741 OF 2022

AND

CRL.MP.NO.7623 OF 2022

Jayam Traders, by Managing Partner,
Maheshwari
By Power Agent
M.Kannan

... Petitioner/
Complainant

Versus

Anbazhagan

... Respondent/
Accused

Prayer:

Criminal Revision Case filed under Section 397 and 401 Cr.P.C, to set aside the order of the learned Judicial Magistrate, Additional Mahila Court, Namakkal in Crl.M.P.No.413 of 2022 in C.C.No.465 of 2021, dated 17.05.2022 and allow this Criminal Revision Case.

For Petitioner : Mr.M.Mani Gopi

O R D E R

This Revision is filed against the order of the learned Judicial Magistrate, Additional Mahila Court, dated 17.05.2022 in Crl.M.P.No.413 of 2022 in C.C.No.465 of 2021, whereby, the prayer of the accused under Section 45 of the Indian Evidence Act to refer the Ex.P-1, cheque, so as to compare the signature in the said cheque with the documents Exs.D-1 and D-2 namely, Vouchers, so as to ascertain the genuineness of the signature.

2. The case is one under Section 138 of Negotiable Instruments Act and it is for the accused to rebut the presumption. Therefore, he has filed the petition which has been allowed by the Trial Court.

3. The learned Counsel for the petitioner would submit that it is an attempt to protract the proceedings and therefore, in



any event, requested that time limit be fixed for the exercise to be carried out.

4. Considering the nature of the case and the offence involved, I do not find any error or infirmity in the order of the Trial Court. However, taking into consideration the apprehension expressed by the learned Counsel for the petitioner, the learned Advocate Commissioner appointed in the case and the Deputy Director, Forensic Science Department, Kamarajar Salai, Mylapore, Chennai are directed to expedite the process and complete the same, in any event, not later than two months from the date of receipt of a copy of the order.

5. With the above said directions, this Criminal Revision Case stands dismissed. Consequently, CrI.M.P.No.7623 of 2022 is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

grs

To

- 1 The Judicial Magistrate,
Additional Mahila Court,
Namakkal.
- 2 Do-thro The Chief Judicial Magistrate,
Namakkal.
- 3 The Deputy Director,
Forensic Science Department,
Kamarajar Salai,
Mylapore, Chennai.

+1cc to Mr.M.Mani Gopi, Advocate, S.R.No.36823

CrI.R.C.No.741 of 2022

SSI (CO)
PM/29/06/2022