



Crl.R.C.(MD)No.155 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 23.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.155 of 2019

and

Crl.M.P.(MD)No.2392 of 2019

J.Sajitha

... Petitioner/Appellant

vs.

M.Mohmed Hanifa

... Respondent/Respondent

PRAYER : This Criminal Revision has been filed under Section 397 r/w 401 of Cr.P.C., to revise the order dated 05.10.2018 in Crl.M.P.No.4351 of 2018 in S.T.C No.1 of 2016 passed by the learned Judicial Magistrate No. II – cum – Fast Track Court at Magisterial Level, Madurai.

For Petitioner : Mr.J.Sathiaraj

ORDER

This Criminal Revision Petition has been filed to revise the order dated 05.10.2018 in Crl.M.P.No.4351 of 2018 in S.T.C No.1 of 2016



Crl.R.C.(MD)No.155 of 2019

WEB COPY

passed by the learned Judicial Magistrate No. II – cum – Fast Track Court at Magisterial Level, Madurai and thereby dismissed the petition filed under Section 45 of Indian Evidence Act.

2.It is seen that the petitioner is an accused and the respondent is the complainant. While pending trial, the petitioner has filed an application for seeking the comparison of handwriting in the body of the cheque with that of the accused on the ground that it has been taken away by her husband while family dispute. However, the petitioner admitted her signature found in the cheque and she disputed the contents of the cheque posted. This contents of the cheque can be filled up and on legally enforceable debt. Therefore, the Court below has rightly dismissed the petition. Hence, this Court finds no infirmity or illegality in the order passed by the Court and the criminal revision case is liable to be dismissed.

3.Accordingly, this Criminal Revision Case is dismissed. However, the learned Judicial Magistrate No. II – cum – Fast Track Court at Magisterial Level, Madurai, is directed to dispose of the case in S.T.C



Crl.R.C.(MD)No.155 of 2019

WEB COPY

No.1 of 2016 within a period of three months from the date of receipt of a copy of this order, if not already disposed of. Consequently, connected miscellaneous petition is closed.

23.06.2023

sjj

NCC : Yes/No

Index: Yes/No

Internet: Yes/No

To

- 1.The Judicial Magistrate No. II – cum – Fast Track Court
at Magisterial Level, Madurai.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD)No.155 of 2019

G.K.ILANTHIRAIYAN , J.

sjj

Crl.R.C.(MD)No.155 of 2019

23.06.2023