



Crl.R.C.(MD).No.741 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 17.07.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.RC(MD)No.741 of 2023
and
Crl.MP(MD)No.10151 of 2023

Pitchaipandi

... Petitioner/Petitioner/Accused

Vs.

P.Arasu

... Respondent/Respondent/Complainant

PRAYER: Criminal Revision Petition has been filed under Section 397 r/w 401 of Cr.P.C., to call for the records relating to the order passed in Crl.M.P.No.1901 of 2023 dated 19.06.2023 in S.T.C.No.11 of 2023 on the file of Fast Track Court (Magisterial Level), Uthamapalayam, and set aside the same.

For Petitioner : Mr.A.Vadivel

ORDER

This petition has been filed by the petitioner to set aside the impugned order passed by the Fast Track Court (Magisterial Level), Uthamapalayam, in Crl.M.P.No.1901 of 2023 dated 19.06.2023 in S.T.C.No.11 of 2023 on the side of the respondent/accused.



Crl.R.C.(MD).No.741 of 2023

WEB COPY

2.The petitioner filed Crl.M.P.No.1901 of 2023 in S.T.C.No.11 of 2023 before the Fast Track Court (Magisterial Level), Uthamapalayam, under Section 45 of Evidence Act by disputing the cheque on the ground that the defacto complainant forged the signature of the petitioner and filed the cheque case against him in S.T.C.No.11 of 2023. During the course of cross examination, he stated that the disputed cheque was taken by the Monkeys and the same was manipulated by somebodies. Per contra, during the trial, he stated that the defacto complainant has stolen the cheque and forged his signature. Considering the contra facts given by the petitioner, the learned trial Judge, dismissed the petition on the ground that the petitioner filed the petition only with an intention to drag on the proceedings. Aggrieved by the same, the petitioner filed this petition.

3.This Court considered the submission of the learned counsel for the petitioner and perused the records.

4.The petitioner did not dispute the signature in the cheque. The specific case of the petitioner is that the cheque was taken by the Monkeys and thrown out the Car. The same was utilised by the complainant in filing this case.



Crl.R.C.(MD).No.741 of 2023

Subsequently, he stated that the respondent/complainant stolen the same and filed this complaint. The said contra stand of the petitioner is false one. Only to prolong the proceedings pending before the trial, he filed this petition. So, this Court does not find any merit in this petition to set aside the order passed by the Fast Track Court (Magisterial Level), Uthamapalayam, in Crl.M.P.No.1901 of 2023 in S.T.C.No.11 of 2023.

5.In view of the above, this Criminal Revision Case is dismissed with liberty to the petitioner to raise all contentions before the Trial Court. Consequently, the connected miscellaneous petition is closed.

17.07.2023

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
dss



WEB COPY



Crl.R.C.(MD).No.741 of 2023

K.K.RAMAKRISHNAN,J.

dss

To

- 1.The Fast Track Court (Magisterial Level),
Uthamapalayam.
2. The Section Officer,
Criminal Records,
Madurai Bench of Madras High Court,
Madurai.

Crl.RC(MD)No.741 of 2023
and
Crl.MP(MD)No.10151 of 2023

17.07.2023