



Crl.RC.No.968 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 03.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.968 of 2025

Mr.S.Purushothaman
S/o. T.Shanmugam,
Proprietor APP Suzuki Motors,
100 ft. Road (Opp.RTO Office)
Mudaliarpeta, Puducherry – 605 004.

...Petitioner

Vs.

Mr.K.Chandrasekaran (died)
S/o. Kuppusamyounder

1. Mrs. L.R.Tmt.Chitra,
W/o. Chandrasekaran,
Residing at No.18, First Cross,
Balaji Nagar, Puducherry – 605 013.

2. Mrs.C.Sridevi,
D/o. Chandrasekaran,
No.18, 1st Cross Street, Balaji Nagar,
Puducherry.

3. Mr.C.Rajasurya
S/o. Chandrasekaran,
No.1027, Calibre Springs Way,
Sandy Springs, GA-30342,
United States of America.

... Respondents



Crl.RC.No.968 of 2025

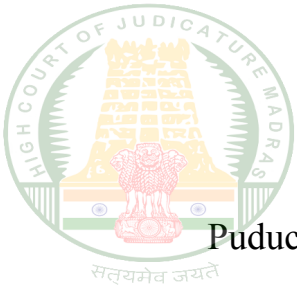
PRAYER: Criminal Revision Petition filed under Section 438 r/w. 442 of BNSS, 2023, to call for the records pertaining to an order dated 16.10.2024 made in Crl.M.P.No.1548 of 2024 in Criminal Appeal No.44 of 2023 on the file of the learned Principal Sessions Judge, Puducherry and set aside the same.

For Petitioner : Ms.T.Lavanya
For Respondents : Mr.Vijayakumar
Senior Counsel
for Mr.A.V.Balusamy for R1 and R2

ORDER

This Criminal Revision has been filed as against the order dated 16.10.2024 made in Crl.M.P.No.1548 of 2024 in Criminal Appeal No.44 of 2023 on the file of the learned Principal Sessions Judge, Puducherry, permitting the petitioner to examine additional evidence on payment of Rs.5,000/- on or before 30.10.2024.

2. The petitioner is an accused in a complaint lodged by the respondents under Section 138 of NI Act and he suffered conviction by the judgment of the trial Court. Aggrieved by which the petitioner filed an appeal in Crl.A.No.44/2023 before the Principal Sessions Judge,



WEB COPY

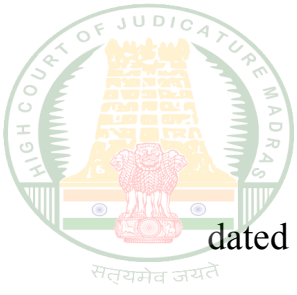
Puducherry. Pending appeal the petitioner filed an application under Section 391 of Cr.P.C. to examine additional evidence and the same was allowed by an order dated 16.10.2024 on condition that the petitioner shall pay cost of Rs.5,000/- to the respondents on or before 30.10.2024 failing which the petition shall stand dismissed.

3. The learned counsel for the petitioner submitted that the petitioner could not be able to pay the costs as he suffered illness. Hence he may be given with one more opportunity to adduce additional evidence.

4. The learned Senior Counsel appearing for the respondents submitted that the petitioner failed to pay the costs as imposed by the appellate Court and now the appeal is posted for arguments. Hence the present revision should be dismissed.

5. Considering the facts and circumstances, this Court is inclined to give one more opportunity to the petitioner to pay the costs.

6. Accordingly, this Criminal Revision Case is allowed and the order



Crl.RC.No.968 of 2025

dated 16.10.2024 made in Crl.M.P.No.1548/2024 in Crl.A.No.44/2023 on

WEB COPY

the file of the Principal Sessions Judge, Puducherry is hereby set aside and the petitioner is given with an opportunity to examine additional evidence as allowed by the appellate Court on payment of cost of Rs.10,000/- (Rupees Ten Thousand) directly to the respondents, on or before 11.07.2025, failing which this petition stands automatically dismissed and the appellate Court is directed to proceed with the appeal and dispose the same within a period of three months thereafter.

03.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
bkn



Crl.RC.No.968 of 2025

WEB COPY To
1. The Principal Sessions Judge, Puducherry

2. Mrs. L.R.Tmt.Chitra,
W/o. Chandrasekaran,
Residing at No.18, First Cross,
Balaji Nagar, Puducherry – 605 013.

3. Mrs.C.Sridevi,
D/o. Chandrasekaran,
No.18, 1st Cross Street, Balaji Nagar,
Puducherry.

4. Mr.C.Rajasurya
S/o. Chandrasekaran,
No.1027, Calibre Springs Way,
Sandy Springs, GA-30342,
United States of America.



WEB COPY



Crl.RC.No.968 of 2025

G.K.ILANTHIRAIYAN, J.

bkn

Crl.RC.No.968 of 2025

03.07.2025