



Crl.R.C.No.1284 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1284 of 2025
and Crl.M.P.No.14829 of 2025

N.D.Giridhar

... Petitioner

Vs.

S.Bharathi

... Respondent

PRAYER: Criminal Revision has been filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to call for the records culminating in the impugned order dated 11.06.2025 passed in Crl.M.P.No.4224 of 2025 in C.A.No.409 of 2024 by the learned V Additional District and Sessions Judge, City Civil Court, Chennai, by dismissing the application and set aside the same.

For Petitioner : Mr.V.K.Kavin

For Respondent : No appearance

ORDER

This Criminal Revision has been preferred as against the order dated 11.06.2025, passed by the learned V Additional District and Sessions Judge, City Civil Court, Chennai, in Crl.M.P.No.4224 of 2025 in C.A.No.409



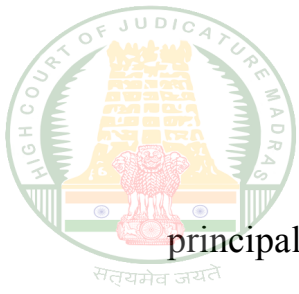
Crl.R.C.No.1284 of 2025

of 2024, thereby dismissing the petition filed by the petitioner to receive additional documents.

2. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”). After full fledged trial, the trial Court convicted the petitioner for the offence punishable under Section 138 of the NI Act. Aggrieved by the same, the petitioner preferred an appeal. While pending appeal, the petitioner filed petition to receive the petitioner's wife HDFC bank statement bearing account No.50100217318192 for the period from 01.04.2020 to 31.01.2021. The appellate Court dismissed the said petition and hence, the petitioner filed the present revision.

3. Heard the learned counsel appearing for the petitioner and perused the materials placed before this Court. Though notice served on the respondent, no one is appeared on behalf of the respondent either by person or through pleader.

4. The specific case of the petitioner is that the petitioner had taken two chits from one Ravi for a sum of Rs.50,000/- each. While receiving the



Crl.R.C.No.1284 of 2025

principal chit amount, the alleged cheque was given as security to one Ravi.

WEB COPY Even after repayment of the entire chit amount by instalment, the said Ravi failed to return the cheque which was given as security and misused the same in the name of the respondent to initiate the proceedings under Section 138 of the NI Act. The entire instalments were paid to the said Ravi from the petitioner's wife bank account. Therefore, the transactions between the petitioner's wife and the said Ravi have been reflected in her bank account statement. Though the respondent had entered appearance before the appellate Court, no counter was filed in the said petition. Therefore, in order to give one more opportunity to the petitioner to put forth his case before the appellate Court, this Court is inclined to set aside the impugned order.

5. In view of the above discussions, the order dated 11.06.2025, passed by the learned V Additional District and Sessions Judge, City Civil Court, Chennai, in Crl.M.P.No.4224 of 2025 in C.A.No.409 of 2024, is hereby set aside. The appellate Court viz., the learned V Additional District and Sessions Judge, City Civil Court, Chennai, is directed to fix a date to mark the documents. If the petitioner failed to produce the original statement of account and mark the same, the appellate Court is directed to proceed further in accordance with law.



Crl.R.C.No.1284 of 2025

WEB COPY6. Accordingly, the Criminal Revision Case stands allowed.

Consequently, connected miscellaneous petition is closed.

18.08.2025

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

rts



Crl.R.C.No.1284 of 2025

WEB COPY

To

1. The V Additional District and Sessions Judge,
City Civil Court, Chennai.



WEB COPY



Crl.R.C.No.1284 of 2025

G.K.ILANTHIRAIYAN. J,

rts

Crl.R.C.No.1284 of 2025
and Crl.M.P.No.14829 of 2025

18.08.2025