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Crl.O.P.No.20605 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.20605 of 2025 and
C.M.P.No.14239 of 2025

K.Preethi Munoth
Proprietrix of PK Finance
No.19/32, A.P.Road
1st Lane, Choolai
Chennai - 600 112

... Petitioner

Vs.

S.Dhamodharan

... Respondent

Prayer : Criminal Original Petition is filed under Section 528 of B.N.S.S. to call for the records relating to the order dated 01.07.2025 made in Crl.M.P.No.1992 of 2024 in STC No.545 of 2022 on the file of the learned XIII Small Causes Judge, Chennai and set aside the same.

For Petitioner : M/s.OM Sai Ram

For Respondent : Mr.J.Jayan

ORDER

This Criminal Original Petition has been filed by the petitioner challenging the order dated 01.07.2025 made in Crl.M.P.No.1992 of 2024 in



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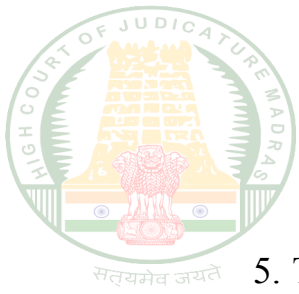
STC No.545 of 2022 on the file of the learned XIII Small Causes Judge,
Chennai.

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2. The petitioner is the complaint in the proceedings initiated under Section 138 of the Negotiable Instruments Act in which, the respondent is the accused. Pending case, the petitioner has filed a petition for production of certain documents. The said petition has been dismissed by the trial Court. Hence, challenging the same, the present petition is filed.

3. Heard both sides and perused the materials available on record.

4. The crux of the issue is with regard to filing of certain additional documents. It is to be noted that the petitioner has filed the said petition in Crl.M.P.No.1992 of 2024 before the trial Court to file certain additional documents at the fag end of trial when the matter was posted for judgment. Earlier also, the petitioner had filed a similar petition in Crl.M.P.No.3808 of 2023 and the same was dismissed by the trial Court. Challenging the same, the petitioner had filed a petition before this Court in Crl.O.P.No.13401 of 2024 and this Court by an order dated 10.06.2024, dismissed the same. Once again, the petitioner has filed the present petition in Crl.M.P.No.1992 of 2024 invoking Section 311 Cr.P.C.



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5. The contention of the petitioner is that the earlier petition was filed in respect of earlier cross examination and the present petition is in respect of the cross examination done later. The main contention of the petitioner is that since the respondent had taken the plea of time barred debt, it has to be established.

6. At the outset, this Court is of the view that time barred debt is valid consideration and the same has been reiterated in the judgment of this Court *in Crl.O.P.No.10078 of 2022 dated 13.07.2022 (S.Karthikeyan Vs. M/s.Vetrivel Finance)* and even Section 25 of the Indian Contract Act, makes it clear that time barred debt is valid consideration. Therefore, at the fag end of trial, the petitioner need not insist for production of documents. Hence, I do not find any merits in this petition.

7. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

01.09.2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
The XIII Small Causes Judge, Chennai

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