



Crl.R.C.No.1067 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2025

CORAM:

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

Crl.R.C.Nos.1067 of 2025 and
Crl.MP.Nos.13756 & 13757 of 2025

M.Prem Kumar Petitioner
Vs
R.Suresh Respondent

PRAYER:

Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, praying to call for the records relating to the order made in CMP.No.39 of 2025 in STC.No.69 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur dated 17.03.2025 and set aside the same and discharge the petition.

For Petitioner : M/s.M.Viji

ORDER

This Criminal Revision Case has been filed against the order made in CMP.No.39 of 2025 in STC.No.69 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur dated 17.03.2025, thereby dismissing the petition seeking handwriting expert opinion on Ex.P1 i.e. cheque.

2. Heard, the learned counsel for the petitioner and perused, all the



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materials placed before this Court.

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3. The respondent is the complainant, who lodged complaint for the offence punishable under Section 138 of NI Act against the petitioner. After cross examination of PW1, the petitioner filed petition under Section 45 of Indian Evidence Act for comparison of handwriting in the contents of the dispute cheques except signature with that of the handwriting in the bank challan for expert opinion. On perusal of the cross examination of PW1, he categorically admitted that a signed cheque was only issued and the same was filled up by the respondent. Therefore, it is clear admission and there is no need to be proved. Further, the filing of the petition is only dragging of proceedings. Hence, the petition filed by the petitioner was rightly dismissed and this Court finds no infirmity or illegality in the impugned order.

4. In view of the above discussion, this criminal revision case is dismissed.

14.07.2025

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



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To

The learned Judicial Magistrate, Fast Track Court (Magisterial Level), Ambattur

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G.K.ILANTHIRAIYAN, J.

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