



WEB COPY

CRL MP No. 13994 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC NO. 1102 OF 2025

1. C.Vijay Anand
Son of Mr.P.Chinnadurai, Door No.240,
5th Street, Bakthavachalam Colony,
Vyasarpadi, Chennai - 600 039.

Petitioner(s)

Vs

1. K.Amudha
Wife of Mr.S.Kamaraj, residing at Door
No.27, Thirumal Srinivasa Nagar,
Redhills Main Road, Vinayakapuram,
Chennai - 600 099.

Respondent(s)

CRL RC No. 1102 of 2025

PRAYER

To call for the records pertaining to order dated 23.06.2025 in CrI.M.P.No.5785 of 2024 in S.T.C.No.2465 of 2022 before the XIX Metropolitan Magistrate, Egmore at Allikulam and set aside the same and dismiss the CrI.MP.No.5785 of 2024 in S.T.C.No.2465 of 2022 before the XIX Metropolitan Magistrate, Egmore at Allikulam and pass such or further orders and thus render Justice.

For Petitioner(s): J.Chelladurai Caldwell
R.G.Newton Reginald
G.Sreenivasan
M.Alexander
A.Arikrishnan

For Respondent(s): S.Anil Sandeep
D. Harikrishnan
B. Reena



WEB COPY

CRL MP No. 13994 of 2025



D. Ajay
B. Karthick

ORDER

This Criminal Revision Case has been filed to call for the records pertaining to order dated 23.06.2025 in Crl.M.P.No.5785 of 2024 in S.T.C.No.2465 of 2022 before the XIX Metropolitan Magistrate, Egmore at Allikulam and set aside the same and dismiss the Crl.MP.No.5785 of 2024 in S.T.C.No.2465 of 2022 before the XIX Metropolitan Magistrate, Egmore at Allikulam.

2. The respondent herein filed Crl.MP.No.5785 of 2024 in S.T.C.No.2465 of 2022 before the XIX Metropolitan Magistrate, Egmore at Allikulam, seeking to send the disputed registered mortgage deed dated 29.12.2015 and unregistered mortgage deed dated 01.09.2016 for expert opinion since because the signature found in the said deeds does not belongs to her. The said petition was contested by the petitioner herein. Upon hearing both sides, the Trial Court held that the accused is entitled rebut the presumption. Accordingly, allowed the petition. Challenging the same the petitioner filed this Criminal Revision Case.

3. The learned counsel for the petitioner submits that since the respondent admitted her signature in the cheque there is no necessity for secondary evidence to be examined by expert. Further he pointed out that the respondent



not replied to the statutory notice. Now at the fag end of the proceedings, the respondent filed the petition in order to drag on the proceedings. Hence, he prays to allow this case.

4. The learned counsel for the respondent submits that the trial Court rightly allowed the petition which needs no interference.

5. Heard both sides.

6. The petitioner herein produced the registered and unregistered mortgage deed which was marked as Ex.P6 and Ex.P7, respectively. The respondent disputed the signature found in the said mortgage deeds so she filed the petition to send the said documents for expert opinion. This Court is of the view that the respondent/accused is entitled to rebut the presumptions by producing sufficient material evidence and the same was rightly appreciated by the Trial Court which needs no interference. Further, the Trial Court is directed to send the documents for expert opinion as per manner known law within a period of four weeks from the date of receipt of a copy of this order.

7. In the result, this Criminal Revision Case is disposed of. Pending petition(s), if any, is/are closed.

13-11-2025

pbl
Index:Yes/No



CRL MP No. 13994 of 2025



Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The XIX Metropolitan Magistrate, Egmore at Allikulam



WEB COPY

CRL MP No. 13994 of 2025



T.V.THAMILSELVI J.
pbl

**CRL RC NO. 1102 OF
2025**

13-11-2025