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CRL RC No. 1553 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-08-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL RC No. 1553 of 2025

Mageshwari
W/o. Ramesh.

Petitioner(s)

Vs

Pugazh
S/o. Venkatesan.

Respondent(s)

PRAYER: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the Impugned Order passed in MP.No.2 of 2023 in CA.No.60 of 2023 dated 08.04.2025 (Impugned Order) passed by Principal District and Sessions Court, Thiruvannamalai.

For Petitioner(s): Mr.K.Alakendran

ORDER

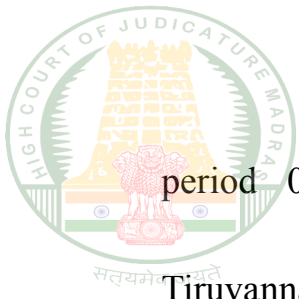
This revision has been preferred as against the order passed in MP.No.2 of 2023 in CA.No.60 of 2023 dated 08.04.2025, on the file of the Principal District and Sessions Court, Thiruvannamalai, thereby, dismissing the petition filed under section 391 Cr.P.C.



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2. Petitioner is an accused in the complaint lodged by the respondent for the offences under Section 138 of NI Act alleging that the petitioner borrowed a sum of Rs.27,50,000/- as loan and the said amount was repaid by way of a cheque. However, when it was presented for collection, it was returned as funds insufficient and the respondent issued statutory notice and filed a complaint. The complaint was taken cognizance by the trial Court.

3. After full fledged trial, the petitioner was convicted and sentenced to undergo six months simple imprisonment and directed to pay the compensation of Rs.27,50,000/- to the complainant within two months and in default to pay the compensation, further sentenced to undergo one month simple imprisonment. Aggrieved by the same, the petitioner filed an appeal in CrI.A.No.60 of 2023 before the Principal District and Sessions Court at Thiruvannamalai. Pending appeal, the appellant had filed a petition under section 391 Cr.P.C. summoning the respondent Bank Branch Manager, Canara Bank, Nochimalai Branch to produce the bank statement pertaining to the



period 01.04.2016 to 31.12.2021, the Branch Manager of SBI, SME

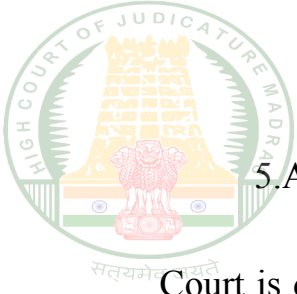
Tiruvannamalai Branch to produce bank statement pertaining to the period

01.04.2016 to 31.12.2021 and the Post Master, Tiruvannamalai Head Post

Office to produce the records pertaining to the postal consignment dated

01.11.2021.

4.A perusal of the records reveal that nothing has been whispered about any amount repaid by the petitioner. That apart, the petitioner did not even state that why she did not produce any statement of accounts before the Trial Court and why she did not examine the Bank Management. Of course, it is true that the document sought to be relied is of helpful to the petitioner, but at the same time, there is no proper reason forthcoming as to why she had not taken steps to produce those documents initially. That apart, the application filed under Section 391 Cr.P.C., was dismissed by the Appellate Court. The production of the document sought for, at this stage, will not serve any purpose. Hence, this Court finds no infirmity or illegality in the order impugned.



5. Accordingly this Criminal Revision stands dismissed and the Appellate

Court is directed to dispose of the appeal within a period of three months from

the date of receipt of a copy of this order.

26-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Principal District and Sessions Court,
Thiruvannamalai.



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G.K.ILANTHIRAIYAN J.
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