



CrI.O.P.No.29215 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2025

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.29215 of 2025

Lokesh

... Petitioner

Vs.

Sai Murali

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to call for the records relating to the order dated 10.09.2025 passed by the learned Principal District and Sessions Judge, Chengalpattu, in Criminal Revision Petition No.9 of 2025 confirming the order dated 07.01.2025 in M.P.No.1 of 2024 in C.C.No.414 of 2021 on the file of the learned Judicial Magistrate No.I, Chengalpatu, set aside the impugned orders of both the courts below as being illegal, arbitrary and unsustainable in law and allow the petitioner's application under Section 311 Cr.P.C., permitting the petitioner/accused to summon and mark the Attendance Register of PPC & Logistic Company, Oragadam, as additional evidence on his side.



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For Petitioner : Mr.R.Dhanasekar



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ORDER

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The Criminal Original Petition has been filed seeking to set aside the order passed by the learned Principal District and Sessions Judge, Chengalpattu, dated 10.09.2025, in Criminal Revision Petition No.9 of 2025.

2. The brief facts of the case are as follows:-

2.1. The complaint under Section 138 of the Negotiable Instruments Act, 1881, was filed by the respondent against the petitioner before the learned Judicial Magistrate No.I, Chengalpatu, in C.C.No.414 of 2021.

2.2. A petition in M.P.No.1 of 2024 in C.C.No.414 of 2021, filed by the petitioner/accused under Section 311 Cr.P.C., seeking to produce certain documents, was dismissed by the learned trial Judge, vide order dated 07.01.2025, on the ground that the petition had been filed belatedly at the stage of judgment.



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2.3. Against the dismissal of the said petition, a revision was

preferred by the petitioner/accused before the Principal District and Sessions Court, Chengalpattu, in Criminal Revision No.9 of 2025. The learned Judge, finding that no valid grounds had been made out in the revision, dismissed the same, vide order dated 10.09.2025. Aggrieved by the same, the present petition has been filed by the petitioner/accused.

3. Learned counsel appearing for the petitioner submitted that the respondent/complainant has alleged that on 20.08.2020, at about 1.00 p.m., he paid the amount to the petitioner. However, according to the petitioner, he was not on duty at that time. Therefore, in order to prove his claim, the petitioner sought to summon certain documents. The Courts below, without taking into consideration the same, dismissed the petition. Hence, he prayed to set aside the order dated 10.09.2025.

4. Having heard the learned counsel appearing for the petitioner and on perused the materials available on record, this Court finds that the complaint is pending from the year 2021. The petitioner filed the petition



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under Section 311 Cr.P.C., when the case was posted for arguments. The

learned trial Judge, finding that the petition had been filed belatedly to protract the proceedings, dismissed the petition, against which, a revision has been filed and the same was also dismissed.

5. It is well settled that a revision petition ought to be preferred before the Sessions Court under Section 397 of Cr.P.C. Once the revision is dismissed, a subsequent petition under Section 482 Cr.P.C., before the High Court challenging the very same order would, in substance, amount to a second revision, which is specifically barred under Section 397(3) of Cr.P.C. The inherent powers of this Court under Section 482 Cr.P.C. cannot be invoked to circumvent such a statutory bar. However, in certain exceptional circumstances, this Court can entertain a petition filed under Section 482 Cr.P.C.

6. But, in the present case, no such exceptional circumstance has been made out warranting interference under Section 482 Cr.P.C. Therefore,

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the present petition, being in the nature of a second revision, is not maintainable and is liable to be dismissed.

7. Accordingly, this Criminal Original Petition stands dismissed.

28.10.2025

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Neutral Citation: Yes/No



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- To
1. The Principal District and Sessions Judge,
Chengalpattu.
 2. The Judicial Magistrate No.I,
Chengalpatu.



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A.D.JAGADISH CHANDIRA, J.

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