



WEB COPY

CRL RC No. 2201 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2201 of 2025

AND

CRL MP NO. 20187 OF 2025

G.Prakash
S/o.Govindarajan,
Junior Assistant, Directorate of Local Fund
Audit, IV Floor, Integrated Finance Department
Building, Nandanam, Chennai-600 035.

Petitioner(s)

Vs

J.Leelavathy
W/o.Gurumurthy, No.12/23, Bharathy
Nagar, Ayanavaram, Chennai-600 023.

Respondent(s)

CRL RC No. 2201 of 2025

PRAYER

To set aside the judgment dated 25.07.2025 passed in C.A.No.649/2024 by the Learned XX Additional Sessions Judge, City Civil Court, Chennai, which confirmed the conviction and sentence imposed by the Learned XXVI Metropolitan Magistrate, Egmore, Chennai in STC No.1897/2022 dated 08.08.2024.



For Petitioner(s): Mr. K.Nagarajan

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ORDER

Challenging the impugned judgment passed by the XX Addl. Sessions Judge, City Civil Court, Chennai in Crl.A.No.649 of 2024, dated 25.07.2025 confirming the judgment passed by the XXVI Metropolitan Magistrate, Egmore, Chennai in S.T.C.No. 1897 of 2022 dated 08.08.2024, the petitioner/accused preferred this Criminal Revision Petition.

2. The petitioner herein is the accused in S.T.C No. 1897 of 2022 on the file of learned XXVI Metropolitan Magistrate, Egmore, Chennai. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act and he has been convicted and sentenced to undergo simple imprisonment for a period of three months and awarded to pay the sum of Rs.2,00,000/-. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.649 of 2024 before the learned XX Addl. Sessions Judge, City Civil Court, Chennai, by an order dated 25.07.2025, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.



3. The learned counsel for petitioner argues that there was no legally enforceable debt, but the respondent/complainant lodged a false complaint against him. However, P.W.1 was also not cross-examined and based on the evidence of P.W.1, the trial court convicted the accused, still he is having valid defence to prove his case, but inspite of direction given by the trial court, he is not able to cross-examine her due to his ill-health. So, he prayed one more chance for approaching the trial court to cross-examine her without any delay.

5. Heard and considered submissions made by learned counsel for petitioner and perused materials available on record.

6. According to the respondent/complainant, the petitioner borrowed sum of Rs.2,28,000/- and not paid any interest, for that, he gave a cheque, but as per the contentions of petitioner, there is no legally enforceable debt between them, he is liable to be given one more opportunity and the fact also reveals that both petitioner and respondent are known to each other. Therefore, the findings rendered by the trial judge is liable to be set aside. Accordingly, this Criminal Revision Case is allowed with a condition that the petitioner shall deposit a sum of Rs.75,000/- (Rupees seventy five thousand only) into the credit of S.T.C.No. 1897 of 2022 before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order. On such deposit, the



findings rendered in S.T.C.No. 1897 of 2022 on the file of XXVI Metropolitan Magistrate, Egmore, Chennai is set aside and the petitioner is directed to cooperate with the trial proceedings by cross-examining P.W.1 as well as adduce any evidence, if any, on his side.

31-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. XX Addl. Sessions Judge, City Civil Court, Chennai.
2. XXVI Metropolitan Magistrate, Egmore, Chennai.



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T.V.THAMILSELVI J.

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**31-10-2025
(1/2)**