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CRL RC No. 2365 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. 2365 of 2025

and

Crl.M.P.No.21350 of 2025

1. PARTHIPAN

S/o.Raja Rathinam, Mahatma Gandhi

Nagar, Marakkanam Road, Tindivanam.

Petitioner(s)

Vs

1. Lakshmi

W/o.Govindan, No. 36/66, Police Line

Back Side, Mailam Roadm,

Tindivanam.

Respondent(s)

PRAYER

Criminal Revision Case filed under Section 438 and 442 of BNSS, praying to set aside the order in Crl.M.P.No.1108 of 2025 in S.T.C.No.342 of 2022 dated 20.09.2025, on the file of the learned Judicial Magistrate No.I, Tindivanam, Villupuram District.

For Petitioner(s): Mr.G.Mohammed Aseef

For Respondent: Dr.C.E.Pratap
Government Advocate (Crl.Side)



ORDER

The petitioner has filed this petition to set aside the order in Crl.M.P.No.1108 of 2025 in S.T.C.No.342 of 2022 dated 20.09.2025, on the file of the learned Judicial Magistrate No.I, Tindivanam, Villupuram District.

2. Challenging the impugned order passed by the trial Court, the petitioner filed an application to send the alleged cheque for expert opinion with regard to the alleged fabrication of the record. However, learned the trial Judge dismissed the application on the ground that no contemporaneous documents were produced to compare the handwriting of the petitioner, though the petitioner was ready to file such documents.

3. The learned counsel for the petitioner submitted that even on a bare perusal of the alleged cheque, it is evident that there is manipulation and correction, indicating fabrication. He further submitted that the petitioner has a valid defence and is willing to produce the contemporaneous documents. If an opportunity is not given, his valuable right to defend the case would be defeated.



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4. Accordingly, the Criminal Revision Case is allowed and the findings of the trial Court are set aside. Consequently, the connected Miscellaneous petition is closed.

5. The petitioner is directed to produce the contemporaneous documents for comparison with the writings found in the alleged cheque within a period of three weeks from the date of receipt of a copy of this order. The learned trial Judge is directed to proceed with the matter in the manner known to law.

13-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

WEB COPY

1.Lakshmi

W/o.Govindan, No. 36/66, Police Line
Back Side, Mailam Roadm,
Tindivanam.

2.The Judicial Magistrate No.I,
Tindivanam, Villupuram District.

3.The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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