



Crl.R.C.(MD)No.204 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.204 of 2025

Tamilarasan

... Petitioner/Petitioner/
Complainant

Vs.

S.Sundarrajan

... Respondent/Respondent/
Accused

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records pertaining to impugned order dated 09.12.2024 in Cr.M.P.N.2812 of 2024 in C.C.No.133 of 2023 on the file of the learned Judicial Magistrate, (Fast Track Court), Karaikudi and set aside the same.

For Petitioner : M/s.S.Lakshmi Priya

For Respondent : Mr.S.M.Sanjay

ORDER

Challenging the order passed by the learned Judicial Magistrate, Karaikudi in C.C.No.133 of 2023 dismissing an application filed by the complainant under Section 277(2) of BNSS, this criminal revision case is filed.



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2. The complainant had made an application before the learned Trial Court seeking permission of the Trial Court to examine one K.Maayan s/o Karuppiah as P.W.2. However, the learned Trial Court proceeded to dismiss the same for the reason that the petitioner failed to explain in what way the said Mayan is related to the transaction pertaining to the said Negotiable Instrument case. That apart, the learned Trial Court had categorically recorded that even in the complaint, nothing has been stated as to the connection of the said Mayan who is sought to be examined as P.W.2 by the complainant. On that basis, the said application came to be dismissed.

3. The learned counsel for the petitioner submitted that it is only in the presence of the said Mayan, the entire transaction happened between the complainant and the accused. Hence, examination of the said Mayan would throw more light on the transaction which had happened between the complainant and accused and pressed for allowing the criminal revision case.



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4. The learned counsel for the respondent submitted that there is no infirmity in the order of the Trial Court and sought for dismissal of the criminal revision case.

5. As rightly observed by the learned Trial Court in the impugned order, there is no mention about the said Mayan either in the complaint or in the petition filed under Section 277(2) of BNSS, 2023. In the absence of any convincing reasons for the purpose behind examining the said Mayan, I do not find any demerit in the order passed by the learned Trial Court. That apart, this Court is inclined to make a mention that even in the statutory notice, the role of Mayan has not been detailed. Hence I do not find any infirmity in the order passed by the learned Trial Court.

6. Accordingly, this Criminal Revision Case is dismissed.

18.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No



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L.VICTORIA GOWRI ,J.

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To

The Judicial Magistrate,
(Fast Track Court), Karaikudi.

Order made in
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Dated: 18.08.2025