



CRL RC(MD)No.428 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.428 of 2023

and

CRL MP(MD)Nos.6285 and 6286 of 2023

Jothibasu

... Petitioner / Petitioner

Vs.

Mariappan

... Respondent / Respondent

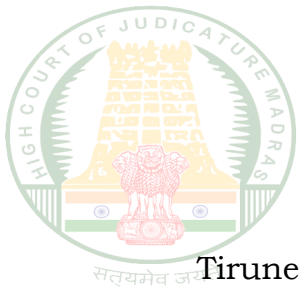
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the records relating to the order dated 12.01.2023 in CrI.M.P.No.7665 of 2022 in S.T.C.No.283 of 2022 on the file of the learned Judicial Magistrate Special Court for Exclusive Trial of Negotiable Instrument Act, Tirunelveli.

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : Mr.S.Michael Heldon Kumar

ORDER

This Criminal Revision Petition is filed to call for the records relating to the order dated 12.01.2023 in CrI.M.P.No.7665 of 2022 in S.T.C.No.283 of 2022 on the file of the learned Judicial Magistrate Special Court for Exclusive Trial of Negotiable Instrument Act,



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Tirunelveli.

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2.The discharge petition was filed by the petitioner before the learned trial Court under Section 138 of the Negotiable Instrument Act, 1881. However, the learned Judicial Magistrate has dismissed the same by rightly relying upon the judgment of the Honourable Supreme Court in ***Adalat Prasad vs. Rooplal Jindal and others***¹, wherein it has been categorically settled that no petition for discharge would lie in summons case. Considering the fact that there is no infirmity in the aforesaid order, I am not inclined to interfere with the order challenged before this Court.

3. Accordingly, the Criminal Revision case fails and the same is dismissed. No costs.

26.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Sml

To

The the learned Judicial Magistrate
Special Court for Exclusive Trial
of Negotiable Instrument Act,
Tirunelveli.

¹2004 (4) SCC (Cri) 1927



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L.VICTORIA GOWRI, J.,

Sml

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