



Crl.R.C.(MD)No.1136 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1136 of 2025

and

Crl.M.P(MD)No.11193 of 2025

R.Arun Kumar

... Petitioner/Petitioner/
Respondent

Vs.

V.Mari Lakshmana Kumar

... Respondent/Respondent/
Complainant

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to set aside the order dated 25.06.2025 in Crl.MP.No.3381 of 2025 in C.C.No.230 of 2021 on the filed of the Learned Judicial Magistrate Fast Track Court, Srivilliputhur, Viruthunagar District for the dismissal of the petition filed by the petitioner under Section 45 of the Indian Evidence Act and to direct the petitioner to pay the Advocate Commissioner Fees.

For Petitioner

: M/s.R.Rebaxana Scudder
for Mr.R.Jagadeeshwaran



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ORDER

Challenging the order passed by the learned Judicial Magistrate Fast Track Court, Srivilliputhur, Viruthunagar District in Crl.M.P.No. 3381 of 2025 in C.C.No.230 of 2021 dated 25.06.2025, this criminal revision case is filed by the petitioner.

2. The petitioner herein is the accused in C.C.No.230 of 2021. He filed a petition under section 45 of Indian Evidence Act seeking an order directing the Hand Writing Expert, Regional Forensic Science Laboratory, Madurai to examine two different signatures, found in the cheque dated 29.01.2018 and for the purpose of handing over the cheque, to appoint an Advocate Commissioner. However, when the matter came up for hearing, the Commissioner batta was not paid by the petitioner herein, for which the said petition came to be dismissed. Challenging the same, this criminal revision case is filed.

3. The learned counsel for the petitioner has submitted that the petitioner was unwell on that particular day and warrant was also issued



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as against him due to his absence and now the warrant is recalled and he is ready to pay the Commissioner batta and sought for setting aside that impugned order.

4. Considering the limited scope of the relief sought for by the petitioner, notice to the respondent is dispensed with.

5. Considering the request of the petitioner, the impugned order is set aside and the petitioner is directed to pay Commissioner batta within a period of two (2) weeks from the date of receipt of copy of this order.

6. Accordingly, this Criminal Revision Case is allowed. Consequently, connected Miscellaneous Petition is closed.

21.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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L.VICTORIA GOWRI ,J.

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To

- 1.The Judicial Magistrate Fast Track Court,
Srivilliputhur, Viruthunagar District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.1136 of 2025

Dated: 21.08.2025