



Crl.R.C.(MD)No.1267 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.1267 of 2023

and

Crl.M.P(MD)Nos.16098 of 2023 & 9125 of 2025

M.Vigneswara Pandian

... Petitioner/Petitioner/
Sole Accused

Vs.

M.Arumugam

... Respondent/Respondent/
Complainant

Prayer : Criminal Revision Case is filed under Section 397 r/w 401 of Cr.P.C to call for the records pertaining to the order passed in Crl.M.P.No.4056 of 2023 in C.C.No.6 of 2022 by the Judicial Magistrate, Fast Track Court at Magisterial Level, Palani dated 16.10.2023 and set aside the same.

For Petitioner : Mr.T.Leninkumar

ORDER

Challenging the order passed by the learned Judicial Magistrate,
Fast Track Court at Magisterial Level, Palani in Crl.M.P.No.4056 of



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2023 in C.C.No.6 of 2022, dated 16.10.2023, this criminal revision case has been filed.

2. The petitioner herein is the accused in C.C.No.6 of 2022. The petitioner filed an application under Section 45 of the Indian Evidence Act for the purpose of sending Ex.P.1 cheque to the forensic laboratory to compare the signature of the cheque with the signature of the accused. However, the same came to be dismissed for want of production of any of the contemporary document with admitted signature with which the signature of Ex.P.1 could be compared with. Challenging the same, this criminal revision case is filed.

3. The learned counsel for the petitioner submitted that at the time of hearing the case, the petitioner did not possess any contemporary document to facilitate the same to be sent to the forensic laboratory. However, after the hectic efforts, now the petitioner had managed to get a contemporary document, dated 22.10.2020 for comparing with the signature of the cheque in question, dated 22.12.2021 and he is also ready to produce the same before the Trial Court.



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4. Despite notice has been issued and the name is printed in the cause-list, the respondent has not chosen to appear before this Court either through counsel or in person.

5. Recording the submission of the learned counsel for the petitioner, the impugned order, dated 16.10.2023 is hereby set aside and the petitioner is directed to produce the contemporary document original before the Trial Court.

6. This Criminal Revision Case is allowed. Consequently, connected Miscellaneous Petitions are closed.

15.07.2025

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

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1.The Judicial Magistrate,
Fast Track Court at Magisterial Level,
Palani.



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2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.1267 of 2023

Dated: 15.07.2025