



Crl.R.C.(MD)No.1360 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.1360 of 2024

and

Crl.M.P(MD)No.13760 of 2024

S.Pandikrishnan

: Petitioner

Vs.

R.Sekar

: Respondent

PRAYER : Criminal Revision Petition filed under Sections 438 r/w 442 BNSS, to call for the records and set aside the order passed in Cr.M.P.No.1438 of 2024 in C.C.No.92 of 2022, dated 16.11.2024 on the file of the Judicial Magistrate/FTC, Karaikudi.

For Petitioner : Mr.R.Mathiyalagan

For Respondent : Mrs.M.Rajeswari

ORDER

This Criminal Revision is directed against the order passed in Cr.M.P.No.1438 of 2024 in C.C.No.92 of 2022, dated 16.11.2024 on the file of the Judicial Magistrate/FTC, Karaikudi, dismissing the petition filed under Section 45 of Cr.P.C.



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2. The respondent/complainant has filed a private complaint against the petitioner for the alleged offence under Section 138 of Negotiable Instruments Act.

3. When the case was pending for complainant side evidence, the petitioner has filed the above petition seeking permission to send the sale agreement, dated 03.05.2013 and the cheque in dispute to the handwriting expert and to get opinion.

4. The learned counsel for the petitioner would submit that the petitioner has been disputing the signatures found in the sale agreement, dated 03.05.2013, that the respondent/complainant, by forging the signatures of the petitioner as well as his wife, fabricated the sale agreement and that therefore, it has become just and necessary to send the said agreement along with the cheques for comparison and to get an expert opinion.



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5. But the fact remains that the petitioner has been admitting the loan transaction and also the issuance of the cheques and the signatures found therein.

6. As rightly observed by the learned Magistrate, the above case came to be filed on the basis of the cheque and that the accused has admitted the signatures found therein, the question of sending the sale agreement for comparison has absolutely no relevancy for the case on hand, dismissed the petition.

7. Considering the above, the impugned order dismissing the petition cannot be found fault with. Consequently, this Court concludes that the Criminal Revision is devoid of merits and the same is liable to be dismissed.

8. In the result, this Criminal Revision Case is dismissed. Consequently, connected Miscellaneous Petition is closed.

03.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

1.The Judicial Magistrate/FTC, Karaikudi.

Order made in
Crl.R.C.(MD)No.1360 of 2024
and
Crl.M.P(MD)No.13760 of 2024

Dated: 03.03.2025