



Crl.R.C. No. 50 of 2026
&
Crl.M.P. No. 1211 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

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M/s. Sri Annai Tractors,
rep. By its Proprietor
Mr.G. Subramani,
No. 373/1, Pannathopu Bus Stop,
Sundekuppam,
Krishnagiri 634 101.

..Petitioner

Vs.

M/s. Same Deutz Fahr Inda Private Ltd.,
rep. By Mr.P. Ramesh,
No. 72M, SIPCOT Industrial Complex,
Ranipet, Vellore District,
Tamil Nadu – 632 402.

..Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of
BNSS to set aside the order dated 30.12.2025 passed in M.P. No. 1936 of
2025 in S.T.C. No. 5776 of 2023 by the learned XX Metropolitan



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Magistrate, Egmore at Allikulam Chennai, allow the petition under Section 145(2) of NI Act and permit the petitioner to examine the proposed witness.

For Petitioner :: Ms. Rajeswari Karthikeyan

For Respondent :: Mr.J. Ranjithkumar for
M/s. Surana & Surana

O R D E R

The revision challenges the dismissal of the petitioner's application seeking to summon and examine an employee of the petitioner as a witness.

2. The petitioner is an accused facing prosecution for the offence under Section 138 of the Negotiable Instruments Act for dishonouring two cheques for the value of Rs.60 lakhs. The petitioner sought for examination of the Sales Manager to prove that there was no transaction between the petitioner and the respondent herein at the relevant point of time and the petitioner could not have issued the two cheques for Rs.60 lakhs.

3. Learned Magistrate dismissed the said petition stating that the examination of the Sales Manager of the petitioner is not necessary and the said petition has been filed only to delay the proceedings.



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4. Learned counsel for the petitioner would submit that the transactions can only be explained by the Sales Manager; that his examination is necessary for proving the defence of the petitioner; that the cheques were issued only through the Sales Manager and that the Sales Manager had misused the cheques.

5. The learned counsel for the respondent, per contra, would submit that the defence now taken by the petitioner is an afterthought; that the petitioner had not taken any action against the said Sales Manager so far and therefore, the learned Magistrate was justified in dismissing the petition filed for summoning the Sales Manager. He would further submit that the case is posted for judgement today.

6. Heard both sides.

7. The petitioner has not disputed his signature in the cheques. The petitioner has not so far taken any action against the Sales Manager for any alleged misuse of his signed cheques. In such circumstances, the belated petition is an afterthought.



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SUNDER MOHAN,J.

nv

8. Considering all the above facts, this Court finds that there is no infirmity in the impugned order. Hence, the revision is dismissed. Connected miscellaneous petition is closed.

27.01.2026

Neutral Citation; yes/No

nv

To

The XX Metropolitan Magistrate,
Egmore, at Allikulam, Chennai.

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