



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP Nos. 5401 & 5405 of 2026
and Crl.M.P.Nos.4100 & 4101 of 2026**

Magesh

..Petitioner in both
Crl.O.Ps

Vs

Rajendra Singh

..Respondent in both
Crl.O.Ps

COMMON PRAYER:

Criminal Original Petitions are filed under Section 528 of B.N.S.S., to set aside the orders dated 30.12.2025 made in Crl.M.P.Nos. 2583 of 2025 and 2584 of 2025 in S.T.C.No. 98 of 2017 on the file of Judicial Magistrate, Fast Track Court at Magisterial Level, Vellore.

In both Crl.O.Ps.

For Petitioner(s): Mr.P.Veeraraghavan

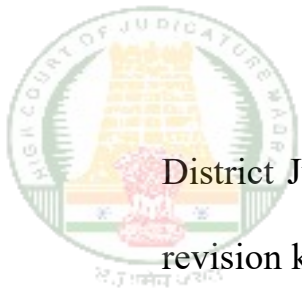
COMMON ORDER

These Criminal Original Petitions have been filed seeking to quash the orders of the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Vellore, made in Crl.M.P.Nos. 2583 of 2025 and 2584 of 2025 in S.T.C.No. 98 of 2017 dated 30.12.2025.



2. The contention of the petitioner is that the petitioner is the accused in S.T.C.No.98 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court at Magistrate Level, Vellore, for an offence under Section 138 of the Negotiable Instruments Act. The petitioner had earlier filed petitions under Section 311 Cr.P.C., before the trial Court in CrI.M.P.Nos.2583 of 2025 and 2584 of 2025, which came to be dismissed on 30.12.2025. Challenging the same, the present petitions have been filed seeking to quash the proceedings.

3. On perusal of the records, it is seen that the complainant has examined four witnesses as P.W.1 to P.W.4 and marked documents including promissory notes, cheques, proof of service of statutory notice. The chief examination of P.W.1 was conducted on 14.02.2018 P.W.2 on 12.09.2019, P.W.3. on 19.09.2019. However, for nearly 6 to 7 years, the petitioner has not taken any steps to recall or cross examine the witnesses. It is further seen that though permission had earlier been granted to the petitioner to recall and cross-examine the witnesses, the petitioner failed to avail the said opportunity. Even though the petitioner was present on 09.01.2020, no cross-examination was conducted. It is also evident that the petitioner has taken a stand disputing the signature found in the promissory notes and cheques and had filed a petition under Section 45 of the Indian Evidence Act in CrI.M.P.No.1287 of 2021 to refer the documents to a handwriting expert. The said petition was dismissed on 19.01.2022. Thereafter, the petitioner filed a revision before the Additional



District Judge, Fast Track Court, Vellore, in Crl.R.C.No.15 of 2022. The said revision kept pending for nearly three years and ultimately came to be dismissed on 17.02.2025. In the revision order, it has been recorded that when the petitioner was questioned under Section 313 Cr.P.C., he did not offer any explanation with regard to his contention that the signatures found in the promissory notes and cheques were not his. It was further observed that the petitioner under Section 45 of the Indian Evidence Act was filed only to protract the proceedings and delay the trial, especially when the petitioner had not even cross-examined the witnesses on the dispute signatures.

4. Considering all the above aspects, the learned Sessions Judge dismissed the revision petition. Thereafter, challenging the orders dated 30.12.2025, in Crl.M.P.Nos.2583 of 2025 and 2584 of 2025, the present petitions have been filed. It is clear that the petitioner has been filing one petition after another only with an intention to protract the proceedings and stifling justice. At this stage, this Court is not inclined to entertain the petitioners. Consequently, the Criminal Original Petitions stand dismissed. Consequently, connected Miscellaneous Petition is closed.

25-03-2026

Index: Yes/No
Speaking/Non-speaking order
VKR



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To

- 1.The Judicial Magistrate,
Fast Track Court at Magisterial Level, Vellore.
- 2.The Additional District Judge,
Fast Track Court, Vellore.

CRL OP Nos. 5401 & 5405 of 2



M.NIRMAL KUMAR, J.

VKR

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