



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 11274 of 2026

and

CrL.MP.No.8053 of 2026

Revanza Leasing Private Limited,
Rep. by its Director, Mrs.Aarti Lalwani,
W/o.SushilLalwani,
Having Office at No.23, EVR PH High Road,
Periamet, Chennai - 600 003.

Also at
Svalar Square, 3rd floor,
No.15, North Phase Developed Plaots,
Guindy Industrial Estate, Chennai – 600032.

Now Represented by Present Director,
Mr.Siddharth Ramesh Kumar Jain,
No.23, EVR PH High Road,
Periamet, Chennai - 600003.

..Petitioner(s)

Vs

M/s.Smart Marine Services Private Limited,
Rep. by its Legal Executive, Mrs.S.Dharani
Nagaraani
No.3-B3 Gaiety Palace,
Door No.1/L, Blackers Road,
Chennai - 600002.

..Respondent(s)

PRAYER: The criminal original petition filed under Section 528 of BNSS to Set Aside the order dated 15.04.2026 in CrL.M.P.No.1625 of 2026 in STC/P.C.No.4097 of 2025 on the file of the Hon'ble XXV Metropolitan Magistrate, Egmore, Chennai and thus render justice.

For Petitioner(s):

Mr.G.Prabhakar

For Respondent(s):

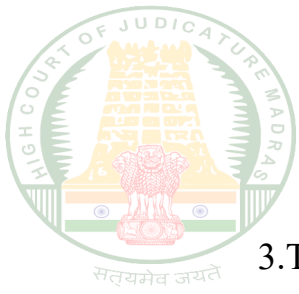
Ms.D.Kalaivani

**ORDER**

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The petitioner/accused facing trial in STC.No.4097 of 2025 filed a petition under Section 39 of BSA, 2023 on 17.02.2026. After completion of 313 questioning in Crl.M.P.No.No.1625 of 2026, the trial Court, by order dated 15.04.2026, dismissed the same, against which, the present petition has been filed.

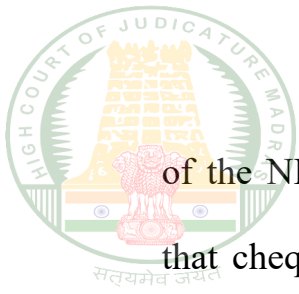
2.The contention of the petitioner is that the petitioner has not denied either the cheque or his signature. The only dispute is handwriting found in the cheque. According to the petitioner, the contents of the cheque were filled up by the respondent/complainant and one Raja Srinivasan. During cross examination, a question has been put to the respondent/complainant PW1 and he admitted that Raja Srinivasan filled up the cheque but, he was unable to give proper reasoning and not considering the same, the trial Court dismissed the petition on the ground that the petition had been filed belatedly and that the petitioner had not produced any admitted or contemporaneous document for comparing the contents of wordings in the cheque and pronote. Further, referring to Section 20 of NI Act is not proper in the facts and circumstances of the case.



3.The learned counsel for the respondent strongly opposed the petitioner's contention and submitted that at the earliest point of time, the petitioner had never disputed either the issuance of the cheque or his signature. The present petition has been filed only at a belated stage with the sole intention of protracting the proceedings. It was further contended that in view of the admitted signature on the cheque, the question as to who filled up the contents of the cheque is immaterial, and therefore, the petitioner seeking expert opinion was rightly dismissed by the trial Court.

4.Considering the submissions and on perusal of the materials, it is seen that the case is now in the stage of 313 Cr.P.C. In this case, PW1's chief examination was held on 05.08.2025. Thereafter, he was recalled and cross examined on 07.10.2025 and further cross examination continued till 11.02.2026. Thereafter, the present petition came to be filed.

5.It is also seen that prior to filing of complaint, statutory notice dated 24.07.2024 issued and the petitioner replied the statutory notice on 30.07.2024. In the said reply, there is no denial of signature and issuance of the cheque. With regard to the present defence during the cross examination, only passing reference has been made to Raja Srinivasan and the defence taken is that the cheque and pronote has been filled up. The trial Court rightly citing Section 20



of the NI Act dismissed the petition. Further, if at all the petitioner is certain that cheque was filled up by any other person, then it is for the petitioner to produce such witness and to prove the same and not by sending the cheque for handwriting experts, which is only cause further delay and in the facts and circumstance of the case, forwarding the cheque for handwriting expert opinion is not required to decide the dispute.

6. In view of the above, this court is not inclined to interfere with the order dated 15.04.2026 passed by the trial Court in CrI.M.P.No.1625 of 2026. Accordingly, the criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

03-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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M.NIRMAL KUMAR, J.

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