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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-01-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No.1993 of 2025

B.Thangadurai
S/o.T.Buthisigamani,
Residing at Plot No.4,
Vishnu Priya Nagar,
Gandhi Nagar,
Vellore - 632006.

...Petitioner/Complainant

Vs

1.Mr.Thiyagarajan Radhakrishnan
S/o. Radhakrishnan

2.Mrs.Jothi
W/o.Thiyagarajan Radhakrishnan,

Both are residing at
Railway Station Road,
Konagarampattu Gate,
Govindammal Complex backside,
Arani Taluk,
Tiruvannamalai District.
Tamil Nadu - 632311.

...Respondents/Accused

PRAYER : Criminal Revision Petition filed under Section 438 r/w Section 442 of BNSS, 2023, to set side the order dated 04.08.2025 in CrI.MP.No.1115/2025 in STC.No.351/2022 passed by the learned Judicial Magistrate of I Class, FTC (Magisterial Level), Vellore.



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For Petitioner : Mr.Shine Kumar R

For Respondents: Mr.S.Sairaman

ORDER

This Criminal Revision challenges the order passed by the learned Judicial Magistrate, Fast Track Court at Magisterial Level, Vellore, in CrI.M.P.No.1115 of 2025 dated 04.08.2025, by which the petitioner's application to file additional documents was rejected.

2. The petitioner is the complainant in a case instituted for the offence under Section 138 of the Negotiable Instruments Act, 1881, as against the respondents herein. The petitioner/complainant was examined in chief in part, and while so, he filed this petition seeking permission to file additional documents. The respondents herein opposed the prayer.

3. The learned Judicial Magistrate, Fast Track Court at Magisterial Level, Vellore, held that the documents sought to be filed by the petitioner are not relevant for the purpose of the case, as those documents are bank statements of one Mr. Silambarasan pertaining to the period between 2018 and 2019, and there is no averment in the complaint as to how those statements would be relevant for the purpose of the case.



4. The learned counsel for the petitioner/complainant would submit that though the petitioner has not stated in the complaint about the relevancy of the bank statements, the petitioner has stated that he became acquainted with the respondents herein only through his brother, one Mr. Silambarasan, and therefore, certain payments were made to the respondents through the said Mr. Silambarasan, and hence, those bank statements are relevant.

5. The learned counsel for the respondents, however, submitted that the stand taken by the petitioner is contrary to his earlier stand in the complaint and in the statutory notice, and that since the documents that are now sought to be marked are totally irrelevant, the learned Magistrate was justified in dismissing the petitioner's application.

6. Admittedly, the petitioner has not referred to any transaction said to have been made through Mr.Silambarasan, his brother in his complaint. He had only stated that he became acquainted with the respondents only through Mr.Silambarasan. In any case, the said statements, cannot be marked through the petitioner. Therefore, this Court finds that there is no infirmity in the order passed by the learned Magistrate in Crl.M.P.No.1115 of 2025 in S.T.C.No.351 of 2022 dated 04.08.2025.



7. However, if the petitioner files any application to examine any witness or mark any document through the said witness, the same may be considered by the learned Magistrate on its own merits after hearing the respondents.

8. With the above observations, this Criminal Revision is dismissed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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