



Crl.R.C.No.2047 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2047 of 2025

and

Crl.M.P.No.19267 of 2025

Mr.D.Muni Venkata Ramana
S/o. Late D. Rangaiah,
No.34, Ramasamy Street,
Vetri Nagar,
Chennai 600 082.

...Petitioner

Vs.

Mrs. Anuradha Sundarrajan
W/o. Mr. Sundarrajan,
New No.4, Old No. 105,
Sakthivel Nagar,
6th Cross Street,
Kolathur,
Chennai 600 082.

...Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS, to set aside the order dated 17.09.2025 made in Crl.M.P.No.78271 of 2024 on the file of the Metropolitan Magistrate, Fast Track Court II, Egmore at Allikulam.

1/4



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CrI.R.C.No.2047 of 2025

For Petitioner : Ms.C.Vijayalakshmi

For Respondent : Mr.P.Mahendra

ORDER

The revision challenges the order passed by the Trial Court condoning the delay of 65 days in the filing the complaint under Section 138 of Negotiable Instruments Act.

2. The learned counsel for the petitioner would submit that the Trial Court ought not to have condoned the delay since the medical certificate of the respondent does not support her case that she was sick and since sufficient cause was not shown, the learned Magistrate ought to have dismissed the petition.

3. The learned counsel for the respondent, per contra, submitted that the delay was only 65 days and since the respondent had shown sufficient cause for the delay, there is no infirmity in the impugned order.

4. Heard both sides.

5. Admittedly, the delay was only 65 days in filing the complaint under Section 138 of Negotiable Instruments Act. It is well-settled that where a procedural irregularity is pitted against substantial justice, the latter



Crl.R.C.No.2047 of 2025

would prevail over the former. Therefore, it is desirable that the parties adjudicate their rights before the Trial Court and the right of the respondent cannot be scuttled at this stage. Hence, the order of the learned Magistrate condoning the delay does not suffer from any infirmity and the revision stands dismissed. Consequently, connected miscellaneous petition stands dismissed.

05.02.2026

Index : Yes/No
Speaking order : Yes/No
nv

To

The Metropolitan Magistrate
Fast Track Court II,
Egmore at Allikulam.



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Crl.R.C.No.2047 of 2025

SUNDER MOHAN.J.,

nv

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