



WEB COPY

CRL RC No. 2698 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.RC.No.2698 of 2025

and

Crl.M.P.Nos.23599 & 23600 of 2025

Suresh,
S/o Mohan Das,
Pudhupattu Village,
Sankarapuram Taluk,
Kallakurichi District.

Petitioner(s)

Vs

Thirumagal
W/o Nagarajan,
Sembarambattu Village,
Sankarapuram Taluk,
Kallakurichi District.

Respondent(s)

PRAYER Criminal Revision Case filed under Section 438 r/w 442 of BNSS Act, 2023 to call for the records relating to order dated 16.10.2025 in Crl.MP.No.1345 of 2025 in STC.No.178 of 2023 passed by the learned Judicial Magistrate Court, Sankarapuram, and set aside the same and allow the Criminal Revision petition.

For Petitioner : No appearance

ORDER

When the matter was taken up for hearing on 03.02.2026, there was no representation on behalf of the petitioner. Hence, the Registry was directed to



list the matter under the caption “For Dismissal” on 05.02.2026.

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2. Even today, 05.02.2026, when the matter was taken up for hearing, there was no representation on behalf of the petitioner. Therefore, this Court proceeds to dispose of the Criminal Revision Case on merits.

3. The present Criminal Revision Case has been filed challenging the order dated 16.10.2025 passed in Crl.M.P.No.1345 of 2025 in S.T.C.No.178 of 2023 on the file of the learned Judicial Magistrate Court, Sankarapuram.

4. The petitioner had filed the above Crl.M.P. seeking to send the cheque in question for expert opinion/handwriting comparison. The learned Magistrate, upon considering the submissions of both sides and the materials available on record, dismissed the said petition.

5. The learned Magistrate has observed that the signature found in the cheque was admitted by the petitioner. Once the signature is admitted, the statutory presumption under Sections 118 and 139 of the Negotiable Instruments Act comes into operation. The Court below further held that even if the contents of the cheque were filled up by the complainant, it would not invalidate the cheque, so long as the signature of the drawer is admitted. The learned



Magistrate relied upon the settled principles laid down by the Hon'ble Supreme Court in this regard.

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6. On perusal of the impugned order, this Court finds that the learned Magistrate has assigned valid and cogent reasons for dismissing the petition. This Court finds no infirmity in the impugned order.

7. Accordingly, the Criminal Revision Case stands dismissed. Consequently, connected miscellaneous petitions are closed.

05-02-2026

cda

To

The Judicial Magistrate Court,
Sankarapuram.



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SUNDER MOHAN J.

cda

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