



WEB COPY

CRL RC No. 220 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 220 of 2026

and

CRL MP NO. 1548 OF 2026

S. Alamelu

W/o. V.Sampathsekar, Director M/s. Sri
MVR Logistics Pvt.Ltd., No.3,Jaffar
Syrang Street, Chennai - 600 001. Also
at No.50, Arthoon Road, Royapuram,
Chennai - 600 013.

Petitioner(s)

Vs

A.Kanagarajan

S/o.Arumugam, No.212/227,
3rd Floor, Thambu Chetty Street,
Parrys, Chennai - 600 001.

Respondent(s)

PRAYER Criminal Revision Case filed under Section 438 r/w 442 of BNSS, praying to set aside the order dated 27.11.2025 passed by the learned III Metropolitan Magistrate, George Town, Chennai, in Crl.M.P.No.7395 of 2025 in CC.No.1259 of 2019.

For Petitioner(s): Mr.V. Ramamurthy

For Respondent(s): Mr.Ralph V.Manohar

ORDER

The revision challenges the dismissal of the petitioner's application seeking comparison of the petitioner's signature and thumb impression with the



admitted signature and thumb impression of the petitioner in Ex.P2, which is claimed to be a promissory note.

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2. The learned counsel for the petitioner would submit that the petitioner was defended by a counsel who had not properly cross-examined the de facto complainant and that the document marked as Ex.P2 was not specifically challenged and that unless an opportunity is granted, the petitioners would not be in a position to rebut the statutory presumption.

3. The learned counsel for the respondent would submit that the respondent had filed the complaint as early as in the year 2018 and that the case is posted for arguments; that the present petition has been filed only to delay the proceedings; and that the petitioner had not disputed the signature at any point during the cross-examination of PW1.

4. It is seen from the impugned order that the Trial Court dismissed the said petition on the ground that it was filed only to protract the proceedings and that the petitioner did not dispute Ex.P2 either by way of a reply to the statutory notice or during the cross-examination of P.W.1. This Court finds no infirmity in the said order.



5. However, during the course of arguments, the learned counsel for the petitioner sought one opportunity to recall PW1 for the limited purpose of further cross-examination on certain specific aspects. The learned counsel for the respondent expressed no serious objection for such a course, provided it is time-bound.

6. Accordingly, while confirming the order passed by the Trial Court, this Criminal Revision Case stands dismissed with liberty to the petitioner to recall PW1 for further cross-examination on the date to be fixed by the learned Magistrate. If PW1 is not cross-examined on the said date, the learned Magistrate shall proceed with the arguments and dispose of the case in accordance with law. The learned Magistrate shall endeavour to complete the trial within a period of two months from the date of receipt of a copy of this order.

7. It is needless to state that any observation made in the impugned order shall not affect the right of the petitioner to put forth her defence. Consequently, connected miscellaneous petition is closed.

12-02-2026

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SUNDER MOHAN J.

cda

To

The III Metropolitan Magistrate,
George Town, Chennai.

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