



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2019

CORAM:

**THE HONOURABLE MR.JUSTICE. N.SESHASAYEE**

Cr1.O.P.[MD].No.3208 and 3209 of 2019  
and  
Cr1.M.P.[MD].No.1793 of 2019

Ligori Valavan

: Petitioner/Complainant  
in both petitions

/Vs./

R.M.Regitha

: Respondent / Respondent  
in both petitions

COMMON PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to the order dated 03.01.2019 passed by the Fast Track Court (Magisterial Level), Nagercoil, in C.M.P.No.4868 and 4867 of 2018 in S.T.C.No.537 of 2018 and set aside the same.

For Petitioner

: Mr.P.T.Ramesh Raja  
(in both petitions)

**COMMON ORDER**

The petitioner herein is the complainant in S.T.C.No.537 of 2018, which he instituted against the present respondent for the offences under Section 138 of the Negotiable Instruments Act.

2. The learned counsel appearing for the petitioner submits that the accused's line of defence is that she does not know the petitioner at all, whereas the petitioner has instituted another criminal case against the respondent's husband, which is now pending in Crime No.56 of 2013 on the file of the District Crime Branch, Nagercoil.

3. The learned counsel appearing for the petitioner further submits that the petitioner had moved the trial Court with a petition under Section 91 Cr.P.C., with regard to missing records from the District Crime Branch in respect of Crime No.56 of 2013, out of which, the aforesaid Calendar case in C.C.No.54 of 2018 has



arisen. The said petition is filed in order to establish that the respondent herein had earlier acquainted with the petitioner and the same came to be dismissed. Challenging that, the petitioner is before this Court.

4. Perused the impugned order. This Court does want to go into the merit of that order. It is sufficient that the petitioner obtains certified copies of those documents and file a petition to recall him to examine himself again. However, it is for the trial Court to evaluate the relevancy of the documents now sought to be produced by the petitioner in relation to the cause of action of the case.

5. Accordingly, this criminal original petitions are disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

The Judicial Magistrate,  
Fast Track Court (Magisterial Level),  
Nagercoil.

+2 CC to M/s.P.T.RAMESH RAJA, Advocate ( SR-51089 and 51090 dated 01/03/2019 )

**Common order made in**  
**Cr1.O.P.[MD]No.3208 and 3209 of 2019**  
**01.03.2019**

MSI-09.04.2019/2P-4C