



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P. (MD) No.20646 of 2018

and Crl.M.P. (MD) .No.9552 of 2018

1.J.Mirunalini

2.J.John Kennady

... Petitioners/Accused Nos.1 and 2

Vs.

Dhanabalan

.. Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to set aside the order dated 31.05.2017 passed in Cr.M.P.No.430/2017 in STC.No.541/2016 on the file of the Judicial Magistrate, Nilakottai and thus render justice.

For Petitioners : Mr.R.J.Karthick

For Respondent : Mr.J.Lawrance

ORDER

This petition has been filed seeking order to set aside the order dated 31.05.2017 passed in Cr.M.P.No.430/2017 in STC.No.541/2016 on the file of the Judicial Magistrate, Nilakottai.

2.The petition that has been filed by the petitioner for production of the bank pass book which was in the hands of the complainant. The petition came to be dismissed on the ground that it is not the case of the complainant that he paid the money to the accused persons out of and from the bank account. Liberty has also been given to the petitioners to renew their request at later stage.

3.The learned counsel for the petitioners submitted that the matter has been posted to 26.11.2021 for questioning the accused under Section 313 Cr.P.C. It is also submitted that they have not exercised the liberty that has been granted to them. Since already a liberty has been granted to the petitioners to renew their request, they can exercise the same, if any necessity arises during the course of trial process. I find nothing in this petition for consideration by this Court, since the interest of the petitioners has been properly protected by the trial Court.



4. With the above observation, this criminal original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Judicial Magistrate, Nilakottai.

+1 CC to M/s.J. LAWRANCE, Advocate (SR-34619[F] dated 16/11/2021)

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