

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.14518 of 2022 and
Crl.M.P.No.7986 of 2022

1.Maruthi Constructions

Rep. by its Managing Partner
Sivakumar
D.No.6/253, F1, Lakshmi Nagar
Podupatti Post
Namakkal & District

2. Sivakumar

... Petitioners/Accused 1 & 2

Vs.

Kesavan

... Respondent/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to C.C.No.272 of 2021 on the file of learned Judicial Magistrate No.I, Namakkal and set aside the same and allow the Criminal Original Petition.

For Petitioners : Mr.K.T.S.Sivakumar

ORDER

This Criminal Original Petition has been filed seeking to set aside the order dated 30.05.2022 passed by the learned Judicial Magistrate No.I, Nakammal, in Crl.M.P.No.1304 of 2022 in C.C.No.272 of 2021.

2. The grievance of the petitioner is that as a defence side evidence, he wanted to exhibit the complaint given by him as against the respondent and also the bank statements. Hence, when the case was posted for DW-1 evidence, the petitioner had filed a petition Section 91 Cr.P.C. before the learned Judicial Magistrate. But the learned Magistrate dismissed the same for the reasons that the accused is entitled to file a petition to produce the document through witnesses.

3. At the outside, I do not find any materials to interfere with the order of the trial Court. It is well open to the

petitioner to take appropriate summons to the concerned witnesses and examine them and such exercise shall be done within a period of two months from the date of receipt of copy of this order.

4. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

ksa-2

To

1.The Judicial Magistrate No.I,
Namakkal

2.Do Through The Chief Judicial Magistrate,
Namakkal.

+1cc to Mr.K.T.S.Sivakumar, Advocate, S.R.No.40001

Cr1.O.P.No.14518 of 2022

SKM(CO)
SB(12/07/2022)