



Crl.O.P.No.22265 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.No.22265 of 2022
and Crl.MP.No.14332 of 2022

B.Saravanan
S/o.Baluchamy

... Petitioner

Vs.

N.Chakravarthy
S/o.Narayanan

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order in CMP NO.1167 of 2021 by the Court of FTC at Magisterial Level, Tiruvallur passed order dated 31.05.2022.

For Petitioner : Mr.S.Chinnasamy

For Respondent : S.Thiru Saravanan

ORDER

This petition has been filed challenging the order passed by the Court below in CMP No.1167 of 2021, dismissing the application filed u/s. 91



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Cr.PC., to call for the Income Tax returns from the Department pertaining to the year 2017 – 2018.

2.Heard Mr.S.Chinnasamy, learned counsel for the petitioner and Mr. S.Thiru Saravanan, learned counsel appearing on behalf of the respondent.

3.This Court has carefully considered the submissions made on either side and the materials available on record.

4.The Court below while dismissing the application, has taken into consideration the cross examination of PW.1 in its entirety. On considering the same, the Court below has come to a conclusion that there is no requirement to call for the Income Tax returns from the Department in view of the specific stand that was taken by PW.1 during the cross examination. This Court does not find any illegality or infirmity in the order passed by the Court below and it does not warrant the interference of this Court in exercise of its jurisdiction under Section 482 of Cr.P.C.



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5.In the light of the above discussion, this criminal original petition is dismissed and there shall be a direction to the Court below to complete the proceedings in STC.No.27 of 2020, within a period of **two months** from the date of receipt of copy of the order. Consequently, connected miscellaneous petition is also dismissed.

25.07.2023

Internet: Yes
Index : Yes/No
Neutral Citation Case: Yes/No
KP

To

1.Court of FTC at Magisterial Level
Tiruvallur

2.The Public Prosecutor
High Court, Madras.



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N. ANAND VENKATESH, J.
KP

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