



CrI.O.P.(MD).No.1353 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

CrI.O.P.(MD).No.1353 of 2023

and

CrI.M.P.(MD).No.1209 of 2023

Padmavathy

...Petitioner /Respondent/Accused

Vs.

M/s.Sri Balaji Networks,
Rep. through it Managing Partner,
Mr.P.Venkatachalapathy,
BS-3, SidCo Industrial estate,
Kappalur,
Madurai-8.

...1stRespondent/Petitioner/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to SET ASIDE the impugned order in Cr.M.P.No.3769 of 2022 in STC.No.4 of 2022 dated 22.12.2022 by allowing the Criminal Original Petition.

For Petitioners : Mr. Subramanian.M.K.

For R1 : Mr.S.Srikanth



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ORDER

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Challenging the order that was passed by the learned Judicial Magistrate No.I, Fast Track Court, Madurai in CrI.M.P.No.3769 of 2022, dated 22.12.2022.

2.The learned counsel for the petitioner would submit that the proposed document is very much available in the hands of the Proprietor of the Company. If it is so, the petitioner ought to have summoned the Proprietor himself and mark the document. In stead of to doing that, the petitioner has come forward with this petition. According to the learned counsel for the respondent, without impleading him, a direction petition was also filed. A direction was issued on the next day of the above said filing of the petition. Summon was issued and document was also produced before the concerned Court. Now it was marked through PW1. Therefore, the matter become infructuous. The learned counsel for the petitioner would submit that it is a fake document. Whether it is a fake document or true cannot be matter for consideration in this petition. It is a matter for consideration by the trial Court. Whatever it may be, the document was marked. The petitioner is at liberty to cross examine the



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witness with regard to the genuineness of the document and bring his points. I find no reason to interfere with the order, which has been passed by the trial Court. Now, the matter has become infructuous, because of the marking of the document.

3.In view of the above, this criminal original petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

10.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1.The Judicial Magistrate No.I, Fast Track Court, Madurai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

TM

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