



Crl.O.P.(MD)No.11627 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.06.2023**

CORAM:

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

Crl.O.P.(MD) No.11627 of 2023

Rajapandian

... Petitioner

Vs.

Muthukumari

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to allow this Criminal Original Petition setting aside the order dated 15.06.2023 made in unnumbered Crl.M.P.A.No. 3577 / 2023 in STC No. 248 / 2022 on the file of Judicial Magistrate Court, Keeranur and direct to number, dispose off the same on merits.

For Petitioner : R.G. Shankar

For Respondents :

ORDER

This criminal original petition has been filed to set aside the order dated 15.06.2023 made in unnumbered Crl.M.P.A.No.3577 of 2023 in STC No. 248 / 2022 on the file of Judicial Magistrate Court, Keeranur and direct to number, dispose off the same on merits.



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2.Challenging the return order that was passed by the trial Court dated 15.06.2023, this petition has been filed. The return order reads that if the petitioner wants to take any action against the respondent, he can approach the concerned Jurisdictional Court. The learned counsel for the petitioner would submit that his prayer is only to direct the respondent herein to produce the documents, which is in his custody bearing cheque Nos.098428 & 098429. With regard to the relevancy of the same is questioned to the petitioner. He would state that in the notice sent by the respondent, it has been stated that some other cheques have been issued by the petitioner at the time of the above said transaction. Now the above said documents are required to be produced. Without even going into the facts of the case, the above said return has been made.

3.Since the return has been made without even mentioning the relevancy of the above said document sought to be produced, on the sole ground return order is to be set aside. The above said petition be restored to the file, process and depending upon the finding of the relevancy of the document, order may be passed by the trial Court on the judicial side.



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4. With the above said directions, this criminal original petition stands disposed of.

28.06.2023

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

To

1. The Judicial Magistrate, Keeranur.

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



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G.ILANGOVAN. J.

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