



Crl.OP.No.14594 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.14594 of 2024

and

Crl.MP.No.8910 of 2024

Baalraj

... Petitioner

Vs.

Bhairavi Finance,
Rep by
Authorised Signatory,
Suresh

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order partially passed in Crl.MP.No.9818 of 2023 in S.T.C.No.600 of 2021 dated 15.12.2023 on the file of the Judicial Magistrate Court-I, Namakkal as illegal and incompetant by allowing the present Criminal Original Petition and thereby render justice.

For Petitioner : Mr.Deepan Uday

ORDER

The petitioner herein is an accused in a complaint registered under Section 138 of Negotiable Instruments Act. At the fag end of the trial



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after examining the witnesses, he has taken out an application under Section 91 of Cr.P.C., to produce Statement of Accounts maintained by the complainant, Pan Card and IT Returns for the period i.e., 2013-2022.

2. The trial Court considering the admission made by the complainant regarding the maintenance of account had partially allowed the petition, recording the fact that the bank statement has already been exhibited by the complainant as Ex.P.9 and directed the complainant i.e., Bairavi Finance to produce Pan Card, IT Returns for the period 2013-2022 and disallowed the other relief sought against the representative of the company.

3. This Court on perusing the records and the reasoning stated by the Court below find that the application calling for the statement of account of the complainant's Company which has advanced loan to the accused is now sought to be produced. Not being satisfied, the accused has filed the present petition as against the disallowed portion which is in connection with documents of an individual who claims to be the authorized signatory of the complainant company. When the complaint is filed by the finance company through his representative, the records of



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finance company alone is relevant to decide the fact and not the accounts of the person who represents the finance company. Hence, the reasoning given by the trial Court is in accordance with law and needs no interference.

4. With the above observations, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Vv

24.06.2024

To

1. The Judicial Magistrate Court-I,
Namakkal
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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