



CrI.O.P.No. 5135 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.O.P.No.5135 of 2025

S.Revathi

... Petitioner

Vs.

1.M/s.King Makers Capital Solution
Rep. by its Proprietor Mr.P.R.Rajesh Kumar
No.18, S5 Ground Floor,
Dr.Thirumurthy Nagar Main Road,
Nungambakkam,
Chennai 600 034.

2.The Branch Manager,
Karur Vysya Bank,
No.47, North Park Street, Venkatesapuram,
Ambattur,
Chennai 600 053.

3.The Branch Manager,
IDBI Bank,
1st Floor, Anna Square,
Avadi, Chennai 600 054.

..Respondents



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PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order in Crl.M.P.No.68248 of 2024 in STC No.123 of 2024 dated 27.11.2024 on the file of the learned Metropolitan Magistrate Fast Track II, Egmore at Allikulam, Chennai 3.

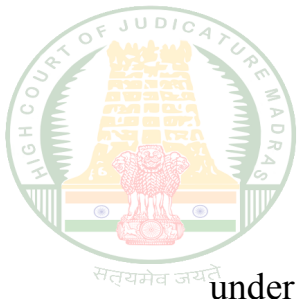
For Petitioner : Mr.V.G.Vel Murugan

For R1 : Mr.S.Velmurugan

ORDER

This Criminal Original Petition has been filed challenging the order passed in Crl.M.P. No.68248 of 2024 in S.T.C. No.123 of 2024, dated 27.11.2024, on the file of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore at Allikulam, Chennai, whereby the application filed under Section 277(2) of the BNSS, 2023, read with Section 94 of BNSS, for production of certain documents, was dismissed.

2. The case arises out of a complaint filed by the first respondent

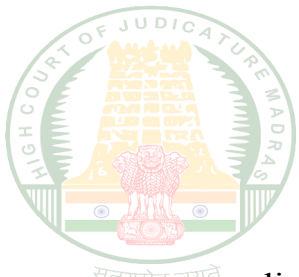


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under Section 138 of the Negotiable Instruments Act, 1881 (hereinafter referred to as "the Act"), in S.T.C. No.123 of 2024, wherein the petitioner is the accused. In order to establish the defence, the petitioner had earlier filed C.M.P. No.13958 of 2024 under Section 91 of the Cr.P.C., 1973, seeking production of the Income Tax Return statement, audited balance sheet, ROC certificate, and the saving and current account statements of the complainant's company for the period from 01.04.2020 to 31.08.2020. However, the said petition was dismissed by the Trial Court on 17.04.2024. Subsequently, the petitioner filed C.M.P. No.20485 of 2024 under Section 45 of the Indian Evidence Act, 1872, seeking to send Ex.P1 and Ex.P2, allegedly containing the signature of the petitioner, for forensic expert opinion, however, the said application was dismissed on 29.04.2024.

3. The petitioner thereafter filed the present application in CrI.M.P. No.68248 of 2024 seeking permission to produce certain documents. However, the learned Metropolitan Magistrate dismissed the said application, observing that the documents sought to be produced were irrelevant to the issues arising out of the complaint and that repeated



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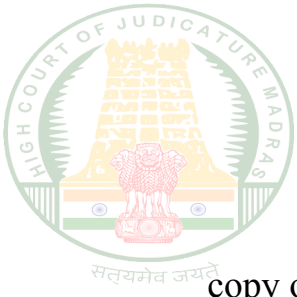
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applications were being filed only with a view to delay the proceedings.

4. Heard both sides and perused the materials placed before this Court.

5. On a perusal of the records, it is evident that the petitioner has been filing successive petitions after dismissal of earlier ones on similar grounds. The Trial Court has rightly noted that the applications were an attempt to prolong the trial. The matter is now posted for arguments, and the stage of production of documents has long passed. Therefore, this Court is of the considered view that the learned Magistrate has assigned valid and cogent reasons while dismissing the application. The impugned order does not suffer from any infirmity or illegality warranting interference by this Court.

6. In the result, this Criminal Original Petition stands dismissed. The learned Metropolitan Magistrate, Fast Track Court-II, Egmore at Allikulam, Chennai, is directed to complete the trial in S.T.C. No.123 of 2024 within a period of twelve (12) weeks from the date of receipt of a



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copy of this order.
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Neutral citation : Yes/No
Speaking/non-speaking order
shk

To

1. Metropolitan Magistrate Fast Track II, Egmore at Allikulam,
Chennai

2.M/s.King Makers Capital Solution
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3.The Branch Manager,
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G.K.ILANTHIRAIYAN, J.

shk

4.The Branch Manager,
IDBI Bank,
1st Floor, Anna Square,



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5. The Public Prosecutor,
High Court, Madras.

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