



Crl.OP.No.28814 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2025

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28814 of 2025

S.Mahesh

... Petitioner

Vs.

1.Vijayalakshmi
2.Minor Nikisha Bala,
rep. by mother, guardian
and next friend Vijayalakshmi/R1

... Respondents

Prayer: Petition filed under Section 528 of BNSS, to call for the records and set aside the order in Crl.M.P.No.6520 of 2023 in M.C.No.11 of 2019 on the file of the learned Chief Judicial Magistrate, Thiruvarur.

For Petitioner : Mr.S.M.Muralidharan

ORDER

Challenging the order passed by the learned Chief Judicial Magistrate, Thiruvarur in Crl.M.P.No.6520 of 2023 in M.C.No.11 of 2019 dated 05.11.2024, the present Criminal Original Petition has been filed.



2. Heard the learned counsel for the petitioner.

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3. The case of the petitioner is that the first respondent wife had filed M.C.No.11 of 2019 before the learned Chief Judicial Magistrate, Thiruvavur, claiming a sum of Rs.40,000/- towards maintenance of the respondents herein and during the pendency of the said Maintenance Case, the petitioner had filed a petition in Crl.M.P.No.6520 of 2023 under Section 91 of Cr.P.C., seeking a direction to the first respondent herein to produce the documents pertaining to her employment with P3 Designs Solution, viz., her income tax returns and her bank account details. The learned Judge holding that the petitioner has filed the petition along with several other petitions after six years to drag and protract the proceedings had dismissed the petition. Aggrieved by the same, the petitioner has come forward with the present Petition.

4. The learned counsel for the petitioner would submit that the documents sought for are necessary to prove that the first respondent/wife was having sufficient income to maintain herself. However, the learned Judge had refused to call for the records and he would seek to set aside the order.



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5. I have perused the materials available on record.

6. Admittedly, the maintenance case is of the year 2019. The impugned order is passed on 08.11.2024 in M.C.No.11 of 2019 on the file of the learned Chief Judicial Magistrate, Thiruvarur. Now, it is admitted by the learned counsel for the petitioner that Maintenance case has been disposed of. At this stage, it would be unnecessary to entertain this Criminal Original Petition. In view of the above, this Petition stands dismissed as infructuous.

23.10.2025

DP

Index: Yes/No
NCC : Yes/No

To

1. The Chief Judicial Magistrate,
Thiruvarur.
2. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA.J.

DP

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