



CrI.O.P.No.19188 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

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1. Elango Aravind Haridas Kesahav
S/o. Late.Haridas alias Dasappa,
Managing Director,
M/s M.D.K.Developers Blore Pvt Ltd.,
Registered Office. No.67, Coles Road,
Fraser Town, Bangaluru - 560005.

... Petitioner

Vs.

1. The Inspector of Police
Mathigiri Police Station,
Krishnagiri District.

2. Saravanan
Assistant General Manager,
Canara Bank, ARM Branch,
Venkatakramana Centre,
Old No.563/1, 5th Floor,
No.524, Anna Salai, Teynampet,
Chennai - 600018.

3. Assistant General Manager
Canara Bank, ARM Branch,
Venkatakramana Centre,
Old No.563/1, 5th Floor,
No.524, Anna Salai,
Teynampet, Chennai - 600018.



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4. The General Manager
Canara Bank, ARM Branch,
Venkatakramana Centre,
Old No.563/1, 5th Floor,
No.524, Anna Salai,
Teynampet, Chennai - 600018.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to direct the Judicial Magistrate Court, Hosur, Krishnagiri District to number and dispose PCR No.1873/2024 in accordance with 223 of BNSS Act, set aside docket order in a judicial manner.

For Petitioner : Mr.Palanikumar N

For First Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed by the petitioner to set aside the docket order passed by the learned Judicial Magistrate, Hosur, Krishnagiri and to direct the learned Judicial Magistrate, Hosur, Krishnagiri District to number and dispose of PCR No.1873/2024 in accordance with law.

2. The case of the petitioner is that the petitioner filed a private complaint against the respondents before the learned Judicial Magistrate, Hosur, Krishnagiri, under Section 200 Cr.P.C., whereas, the learned

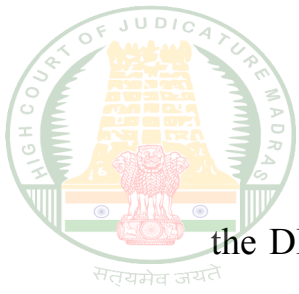


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Magistrate returned the complaint stating that the same is not maintainable. Challenging the same, the petitioner filed a revision before the Principal District Judge, Krishnagiri and the same was also returned stating that the docket order passed by the Magistrate is not a judicial Order. Therefore, the case file was re-submitted to the Magistrate and again it was returned as not maintainable. Hence, the present petition is filed.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. It is seen that the petitioner has not challenged the return order passed by the Principal District Judge, Krishnagiri, however, he is challenging the docket order passed by the Magistrate. On a reading of the complaint filed by the petitioner and also the return docket order passed by the Magistrate, this Court does not find any reason to interfere with the same, since the petitioner himself admitted that he has borrowed money from the Bank and DRT Proceedings are pending and in the writ petition filed by the petitioner also challenging the sale notice, dated 24.02.2017 issued by the Canara Bank, the Court has directed payment of amount in full. Subsequently, the petitioner neither appeared before



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the DRT and instead of appearing the competent Court, he has filed the private complaint before the Magistrate. Therefore, the Magistrate has rightly returned the same. Therefore, there are no merits in this petition.

5. Accordingly, this Criminal Original Petition is dismissed.

6. However, the petitioner is at liberty to work out his remedy in the manner known to law before the competent Court.

10.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Judicial Magistrate,
Hosur, Krishnagiri District
2. The Inspector of Police
Mathigiri Police Station,
Krishnagiri District.
3. The Public Prosecutor
High Court of Madras, Chennai



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