



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP Nos. 24829 & 24835 of 2025

&

Crl.M.P.Nos.16913 & 16915 of 2025

1. C.S.Aditya Praveen

S/o. B.Sarath Chander, No.9, Old No.8,
Crescent Road, Shenoy Nagar, Chennai
- 30.

Petitioner(s) in both Crl.OPs

Vs

1. S.Muthuvel,

S/o. Subramaniam, No.107, Eldams
Road, Teynampet, Chennai - 18.

Respondent in Crl.O.P.No.2829 of 2025

S.P.Vijayakumar, S/o.Subramaniam
No.25-A,Rangarajapuram Main Road,
Kodambakkam, Chennai – 18.

Respondent(s)

For Petitioner(s): Mr.Sunny Sheen
for Mr.K.Karthikeyan

COMMON PRAYER : Criminal Original Petitions filed under section 528 of
BNS to set aside the Order passed in Crl.M.P.Nos. 3463 of 2024 and 5 of 2025



in C.C.Nos.1049 & 1048 of 2020 dated 15.07.2025 and 23.07.2025 respectively
by the learned XXVII Metropolitan Magistrate, Saidapet Chennai.

WEB COPY

COMMON ORDER

These petitions have been filed challenging the Order of dismissal of the petitions filed to issue summons under section 91 of Cr.P.C. to P.W.1 to produce Income tax accounts, the licence obtained under Money Lenders Act and also to produce ledge accounts in the both the cases.

2. The petitioner had filed these petitions to substantiate his case that the cheque was not supported by consideration. However, taking note of the admission of the accused while questioning under section 313 Cr.P.C., the trial Court had dismissed the petitions. In view of this Court, mere summoning the documents under section 91 of Cr.P.C. will not enable the petitioner to prove the documents. If the petitioner really want to rebut the legal presumption, mere production of the documents will not serve any purpose. The contents of the document has to be proved and the persons, who are in custody of the documents have to be summoned and examined as defence witness to prove its



contents. Hence, I do not find any infirmity in the Orders passed by the trial Court.

WEB COPY

3. Accordingly, these Criminal Original Petitions are dismissed.

10-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

vrc

To,

The XXVII Metropolitan Magistrate,
Saidapet, Chennai.



WEB COPY

CRL OP Nos. 24829 & 24835 of 2025



N.SATHISH KUMAR, J.

vrc

CRL OP Nos. 24829 & 24835 of 2025

10-09-2025