



CrI.O.P.No.25624 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.25624 of 2025

Thangamani

... Petitioner

Vs.

1.P.Murugesan

2.Elangovan

3.Babu

... Respondents

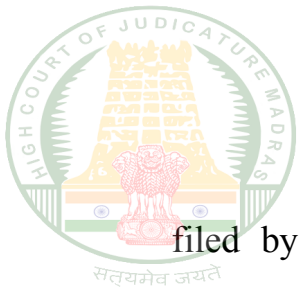
PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to set aside the returned docket order dated 09.08.2025 in C.C.SR.No.2182 of 2025 on the file of the learned District Munsif-cum-Judicial Magistrate, Edappadi, Salem District by allowing the above petition thereby directing the trial court to take the complaint on file and to decide the same on merits.

For Petitioner : Mr.C.Prabakaran

ORDER

The petitioner challenges the docket order of the learned District Munsif-cum-Judicial Magistrate returning the private complaint.

2. The private complaint is filed alleging that after the suit came to be



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filed by the respondent, the petitioner came to know that the alleged agreement has been forged and fabricated and therefore, seeks to prosecute the plaintiff in O.S.No.404 of 2025. The learned District Munsif-cum-Judicial Magistrate has returned the complaint on the ground that it is a case of civil nature.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials placed on record.

4. Normally, this Court would have interfered the returned docket order, but the fact remains that the petitioner has already appeared in the civil suit. Pursuant to the civil suit, he has filed the private complaint alleging forgery. Such being the position, having entered in a civil suit, the petitioner can very well establish the forgery in the pending civil suit. In the event of establishing the forgery, the petitioner is at liberty to prosecute the concerned person.

5. Such view of the matter, I do not find any merits in this petition



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and this petition stands dismissed, accordingly. Consequently, connected

miscellaneous petition stands closed.

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Neutral Citation : Yes/No

Internet : Yes/No

To

1. The District Munsif-cum-Judicial Magistrate, Edappadi, Salem District
2. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.



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