

Crl.R.C(MD)No.1043 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2025**

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

Crl.R.C(MD)No.1043 of 2025
and
Crl.M.P.(MD)No.10707 of 2025

S.Arvind,
S/o.Selvamurugan,
12/60, Jeeva Street,
Lakshmi Nagar,
Polichalur,
Alandur Kancheepuram,
Chennai – 600 074.

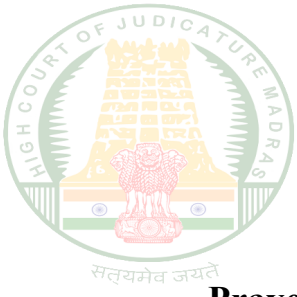
... Petitioner

Vs.

1.M.Gayathri,
D/o.Malaiyandi @ Ashok,
Door No.2/1,
Kancharamapettai Post,
Madurai – 625 014.

2.Minor.G.Yuvadhi,
D/o.Arvind,
Door No.2/1,
Kancharampettai Post,
Madurai – 625 014.

... Respondents



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Prayer : Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, to call for the records of the order dated 21.07.2025 passed in Crl.M.P.No.3061 of 2025 in M.C.No.32 of 2024 by the Learned Additional Chief Judicial Magistrate Court, Madurai and set aside the said order as illegal, unjust and arbitrary.

For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.S.Ram Sundarvijayaraj
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ORDER

Heard Mr.K.Sivabalan, learned counsel for the Petitioner and Mr.S.Ram Sundarvijayaraj, learned counsel for the 1st Respondent.

2. This Criminal Revision Petition has been filed by the petitioner against the impugned judgement and order dated 21.07.2025 passed in Crl.M.P.No.3061 of 2025 in M.C.No.32 of 2024 by the Learned Additional Chief Judicial Magistrate Court, Madurai.



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3. The learned counsel for the Petitioner submits that the 1st

Respondent is the wife of the Petitioner and the 2nd Respondent is their daughter. The 1st Respondent has filed a maintenance case in MC.No.32 of 2024, which is pending. In the mean time, she has lodged a criminal complaint against the Petitioner in Crime No.35 of 2024 on the file of the Inspector of Police, Oomachikulam Police Station, Madurai, for the offence of dowry demand. In order to verify the complaint, the police forwarded it for enquiry to the District Social Welfare Officer, Madurai, who submitted a report vide proceedings in Na.Ka.No.1004/A4/2024 dated 02.07.2024, in favour of the Petitioner. The 1st Respondent, in her cross examination, denied that any such report was filed by the Social Welfare Officer. Hence, the Petitioner filed Crl.M.P. No.3061 of 2025 in M.C. No.32 of 2024 under Section 94 of the BNSS, for production of the said document. However, by the impugned order, dated 21.07.2025, the Additional Chief Judicial Magistrate, Madurai, dismissed the said petition. Hence, the present Criminal Revision Petition has been filed.



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4. Per contra, the learned counsel for the Respondents submitted that the Court below has passed the impugned order after duly considering the facts and circumstances of the case and hence, the impugned order does not warrant any interference by this Court.

5. I have considered the submissions of the learned counsel for the parties and also perused the records.

6. In Crl.MP.No.3061 of 2025, the petitioner herein sought for production of the report filed by the District Social Welfare Officer, pursuant to the complaint made by the 1st respondent against the Petitioner. According to the Petitioner, the said report is in his favour and the nature of the case can be ascertained only if the 1st Respondent files the said report. By the impugned order, the said Crl.MP was dismissed on the ground that the petitioner has not mentioned about from whom the said document has to be summoned and that the petitioner himself can very well file the said document.



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7. Upon consideration of the materials available on record, it appears that the Petitioner is effectively seeking a direction from the Court below to compel production of a document. There is also no clarity in the petition regarding from whom the said document has to be summoned and the specific prejudice caused due to non-production of the said documents. Thus, it appears that the petition has been filed only to protract the proceedings in the maintenance case filed by the 1st Respondent. Such conduct is not permissible in law. Therefore, the Court below rightly concluded that the petition in Crl.M.P.No.3061 of 2025 is not maintainable and accordingly dismissed the same vide order dated 21.07.2025. Further, the learned counsel for the Petitioner has not been able to point out any illegality, impropriety, or incorrectness in the impugned order that would persuade this Court to interfere with the same.

8. In such circumstances to meet the ends of justice, the impugned order does not require any interference. There is no illegality, impropriety and incorrectness in the impugned order.

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WEB COPY 9. In view of the above, the Criminal Revision Petition lacks merit and stands **dismissed**. Consequently, connected miscellaneous petition is closed.

01.09.2025

Nsr

To:

- 1.The Additional Chief Judicial Magistrate Court,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SHAMIM AHMED, J.

Nsr

Order made in
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