



Crl.R.C.(MD)No.1165 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2025

CORAM:

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.R.C.(MD)No.1165 of 2025

and

Crl.M.P.(MD)No.11366 of 2025

R.Indrajeeth

... Petitioner

Vs

C.Thiyagarajan

... Respondent

Prayer: This Criminal Revision Case filed under Section 438 r/w 442 of BNSS to call for the records in pursuant to the order passed in Crl MP No.2 of 2025 in STC No.614 of 2022 on the file of the Learned Judicial Magistrate No.1 Sivakasi dated 19.06.2025 and set aside the same as illegal and consequently direct the Learned Judicial Magistrate No.I, Sivakasi to allow the petitioner to produce his bank statement from the period 12.06.2019 to 25.06.2020.

For Petitioner

: Mr.S.Selvakumar,

For Respondent

: Mr.G.Mohan Kumar



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ORDER

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The present criminal revision case is filed challenging the order of the learned Judicial Magistrate No.I, Sivakasi, dated 19.06.2025, passed in Crl.M.P.No.02 of 2025 in S.T.C.No.614 of 2022.

2.The limited ground for challenge is that the trial Court has directed the petitioner to produce his bank account statement from 14.09.2017 till the date of return of the cheque.

3.Learned Counsel for the petitioner would submit that even in terms of the complaint that has been filed before the trial Court, the cause of action itself would arise only from 12.06.2019, when the petitioner/accused borrowed a sum of Rs.1 Lakh from the complainant by way of a cheque No.000108, dated 12.06.2019 drawn at HDFC Bank, Sivakasi Branch. He would submit that thus insistence on the petitioner to produce the Bank account statement from 14.09.2017 until the date of return of cheque may not be relevant.

4.To the contrary, Learned Counsel for the respondent would submit that there had been prior dealings and therefore Bank statement from 2017 does have relevance and material bearing.



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5.This Court would only clarify that it is open to the petitioner to produce evidence that he would think relevant. It is also open to the petitioner to put forth his argument as to how the Bank statement for the period between 2017 and 2019 may not be relevant. It is equally open to the respondent to submit as to how non-production of the records would necessitate drawing an adverse inference. It is made clear that this Court has not expressed anything on the merits of the matter. All rights and contentions are left open.

6.With the above directions, this criminal revision case is disposed of. Consequently, the connected miscellaneous petition is closed.

02.12.2025

Index :yes/No
Internet:yes/No
LR

To
1.The Judicial Magistrate No.1 Sivakasi.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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MOHAMMED SHAFFIQ,J.

LR

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