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Crl. O.P. No.2000 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 2000 of 2026

and

Crl.M.P.No.1309 of 2026

K.Gopi

..Petitioner

Vs

R.Maheswari

..Respondent

Prayer: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita to set aside the order in Crl.M.P.No.1797/2025 in C.C.No.1743/2021 dated 05.12.2025 passed by the learned XIX Metropolitan Magistrate, Egmore at Allikulam and direct the respondent to produce the documents.

For Petitioner : Mr.S.Suresh

ORDER

The present Criminal Original Petition has been filed to set aside the order in Crl.M.P.No.1797/2025 in C.C.No.1743/2021 dated 05.12.2025 passed by the learned XIX Metropolitan Magistrate, Egmore at Allikulam and direct the respondent to produce the documents.



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2. The brief facts of the case are as follows :-

2.1. The petitioner is an accused facing trial in CC No.1743 of 2021 before the XIX Metropolitan Magistrate, Egmore at Allikulam, for the offences punishable under Section 138 of NI Act.

2.2. In the said case, the petitioner/accused filed a petition in Crl.M.P.No.1797 of 2025 under Section 91 Cr.P.C., to produce the bank statement of the complainant from January, 2013 to December, 2022 and Income Tax Returns for the assessment years from 2013 to 2020. The learned Metropolitan Magistrate, finding that the petition was filed only to protract the proceedings, dismissed the petition, vide order dated 05.12.2025. Aggrieved over the same, the present petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the aforementioned documents are necessary for the trial.

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



5. On a perusal of the records, it is seen that the petitioner had earlier filed Crl.M.P.No.1089 of 2025 before the Trial Court seeking the very same relief and the said petition was dismissed by the Trial Court on merits on 11.09.2025. Further, it is also seen that case is of the year 2021. Without challenging the earlier dismissal order dated 11.09.2025, the petitioner has filed a fresh petition before the Trial Court seeking the very same relief, which is not maintainable. Therefore, this Court does not find any infirmity in the order passed by the learned XIX Metropolitan Magistrate. Hence, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

30-01-2026

Neutral Citation: Yes/No
MRN

To
The XIX Metropolitan Magistrate, Egmore
at Allikulam



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A.D.JAGADISH CHANDIRA, J.

MRN

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