



WEB COPY

CRL OP No. 4930 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 4930 of 2026
Crl.M.P.Nos.3567 and 3568 of 2026

M.Senthil Kumar
S/o.K.Mohanan

..Petitioner(s)

Vs

S.Madhan
S/o.Sathyamurthy

..Respondent(s)

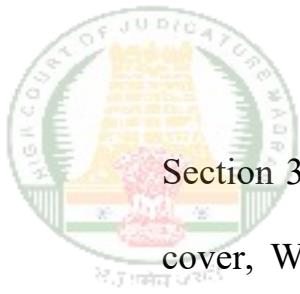
Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023, seeking to call for the records in C.C.No.58 of 2023 in Crl.M.P.No.1071 of 2025 on the file of the learned Judicial Magistrate Fast Track Court (Magistrate level), Alandur and quash the same as against the petitioner herein.

For Petitioner(s): Mr.K.Sathish

ORDER

The petitioner / accused facing trial in C.C.No.58 of 2023 filed this quash petition primarily on the ground that the petitioner is only a working partner and not an investment partner and hence there is no liability.

2.It is seen from the typed set of papers filed by the complainant that trial in this case has commenced and it is in progress. PW1 examined on 22.08.2024 and marked documents. Thereafter, the complainant filed a petition under



Section 311 Cr.P.C. in Crl.M.P.No.1071 of 2025 seeking to mark postal return cover, WhatsApp extract of communication between the petitioner / accused and the complainant counsel. The trial Court vide order dated 12.09.2025 allowed the petition. The trial Court in the order has given reason and justification allowing the petition. Admittedly, the same is not under challenge. Now, the present petition filed as though there is violation and that the complainant improvised his case stage by stage based on the cross examination, which is nothing but filling up the lacunae and the complainant admitted that the petitioner is a working partner.

3.From the above materials and submissions, it is seen that the points raised by the petitioner can be decided during trial and not in the quash petition. Hence, this Court is not inclined to entertain this petition.

4.This Criminal Original Petition stands dismissed accordingly. It is made clear that the observations made herein are only to the limited purpose of disposing of the above petition, the trial Court shall proceed with the trial and to consider the petitioner's contentions and to take the case to its logical end based on the evidence of the case. Consequently, the connected miscellaneous petitions are closed.

03-03-2026

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To.

The Judicial Magistrate
Fast Track Court
(Magistrate Level)
Alandur

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M.NIRMAL KUMAR, J.

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