



CRL.O.P.NO.5763 OF 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP NO.5763 OF 2026

H.Ravi Prakash Reddy,
S/o.Late H.Raj Gopal Reddy,
No.2A, Sitaram Nivas, K.C.Road,
Bellary – 583 101.

Petitioner/Accused

Vs

C.Rex Paulraj,
S/o.Christnraj,
No.47, Savariyar Street,
C-Nammiyardal Kanji,
Chengam,
Thiruvannamalai – 606 702.

Respondent/Complainant

PRAYER: Criminal Revision Petition filed under Section 528 of BNSS, praying to set aside the returned docket order 10.02.2026 in C.A.Sr.No.323 of 2026 in S.T.C.No.11 of 2020 passed by the learned District Munsif-cum-Judicial Magistrate, Kalasapakkam and thereby furnish the certified copy of complaint and all other relevant documents to the petitioner/accused counsel.

For Petitioner(s): Mr.A.Deivasigamani

For Respondent(s):



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ORDER

The petitioner/accused in S.T.C.No.11 of 2020 on a complaint filed by the respondent for offence under Section 138 of the Negotiable Instruments Act, which is pending trial, filed copy application along with an affidavit, vakalat before the trial Court seeking certified copy of the complaint, cheque, notice issued by the respondent and postal acknowledgement. The same was returned by the trial Court on 10.02.2026 for the reasons (i) Non-Bailable Warrant pending against the petitioner and (ii) petitioner not present but the counsel filing copy application with vakalat without presence of petitioner/accused. Aggrieved by the same, the present petition is filed.

2.The learned counsel for the petitioner submitted that the petitioner had business relationship with the respondent/complainant and there was a settlement entered between them out of Court. On 19.05.2022, the issue got resolved and one of the conditions was that the respondent to withdraw the complaint but the respondent failed to do so, hence the petitioner needs copies to file a quash petition.

3.Considering the submissions made and on perusal of the material, it is seen that the trial Court refusing to entertain the copy application for the



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reasons stated above is not proper. Normally in a private complaint, summons from the Court to be accompanied with the copy of complaint and other documents. In this case it is not done so except issuance of summons. In such circumstances, filing of copy application seeking certified copy of the complaint, cheque, notice and postal acknowledgement cannot be rejected on technicality and the same to be entertained.

4.In view of the above, the impugned docket order dated 10.02.2026 passed by the learned District Munsif-cum-Judicial Magistrate, Kalasapakkam is set aside. The petitioner is directed to re-submit the copy application and the trial Court to entertain the same, issue certified copy without insisting the presence of the petitioner/accused.

5.With the above directions, the Criminal Original Petition is allowed. The Registry is directed to return the affidavit and the copy application to the petitioner.

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Index: Yes/No
Speaking / Non-speaking order
Neutral citation : Yes/No
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M.NIRMAL KUMAR, J.

rsi

To

The District Munsif-cum-Judicial Magistrate,
Kalasapakkam.

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06.03.2026