



WEB COPY

CRL OP No. 6886 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 6886 of 2026
and Crl.M.P.No.4995 of 2026**

1. N.Gopalakrishnan
S/o.P.Natarajan,
Door No.A1, Suresh Complex,
Krishnanagar,
Opposite Jayalakshmi Theatre,
Agraharam Post,
Pallipalayam, Komarapalayam Taluk,
Namakkal District.
2. G.Anju
W/o.N.Gopalakrishnan,
Door No.A1, Suresh Complex,
Krishnanagar,
Opposite Jayalakshmi Theatre,
Agraharam Post,
Pallipalayam, Komarapalayam Taluk,
Namakkal District.

..Petitioner(s)

Vs

T.Sekar
S/o.Late M.Thangavel,
Door No.27/21,
Murugankovil Lane,
Ammankovil Street,
Pallipalayam Village and Post,
Komarapalayam Taluk,
Namakkal District.

..Respondent(s)

PRAYER – This Criminal Original Petition is filed under Section 528 of BNSS, to set aside the order dated 19.02.2026 passed in M.P.No.43 of 2026 in STC No.567 of 2022 on the file of the Judicial Magistrate, Komarapalayam, Namakkal District and thus render justice.



For Petitioner(s):

Mr.K.Vasanthanayagan

ORDER

The petitioner, as accused, facing trial under Section 138 of N.I. Act, case filed by the respondent in S.T.C.No.567 of 2022. The petitioner had filed a petition under Section 91 of Cr.P.C. in Crl.M.P.No.43 of 2026, which was dismissed by order dated 19.02.2026, against which the present petition.

2.The contention of the petitioner is that the Trial Court had not considered that the respondent/complainant had admitted that he has got four more accounts which he had declared in the Income Tax Returns and he has not produced the statement of accounts of those four accounts. He further submitted that this has been admitted by the respondent/complainant. Hence, the production of these four bank accounts is necessary to probabalise his defence, which the Trial Court had not considered. Hence, this petition.

3.Considering the submissions based on the materials produced on record, it is seen that the petitioner had earlier filed Section 91 of Cr.P.C. petition to send for two bank accounts of the respondent which has been summoned and statement of account has been produced. Now, during cross-examination, the respondent, though admits that he has got four more bank accounts, he has been specific that he had drawn the amounts from two bank accounts and paid the



petitioner, which details have been produced. The other four bank accounts has got nothing to do with the transaction of the petitioner. He further goes on to fairly admit that the Income Tax Returns has been filed later through one Yuvaraj, who had arranged the Auditor. These facts would clearly show that the statement of bank accounts which the petitioner has sought for is not relevant to the case and the issue to be involved. The Trial Court had rightly dismissed the petition.

4. Accordingly, this Criminal Original Petition is dismissed.
Consequently, connected Miscellaneous Petition is closed.

17-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

1. The Judicial Magistrate,
Komarapalayam, Namakkal District.

2. The Public Prosecutor,
Madras High Court.



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M.NIRMAL KUMAR, J.

GSA

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