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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MR.JUSTICE D.LINGESWARAN

CRL A(MD) No. 1141 of 2024

CNR:{HCMD011217822024}

Case QR

Yegappan

..Petitioner(s)

Vs

Lalitha

..Respondent(s)

PRAYER: This petition is filed under Section 415 of BNSS Act, to call for the records relating to the impugned order dated 09.09.2024 made in Crl.MP.No.15810 of 2024 in CC.No.362 of 2016 on the file of Judicial Magistrate No.2, Trichy, set aside the same and directing to return the original documents in Ex.P8, P9, P11 & P12.

For Appellant(s) :M/s V.S. Kumara Guru

JUDGMENT

This petition has been filed to quash the impugned order passed by the learned Judicial Magistrate No.2, Trichy, in Crl.MP.No.15810 of 2024 in CC.No.362 of 2016, dated 09.09.2024 and direct the learned Judicial Magistrate No.2, Trichy, to return the original documents in Exs.P8, P9, P11 & P12.

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2. The appellant originally filed a case in C.C.No.362 of 2016 before the learned Judicial Magistrate No.II, Tiruchirappalli, under Section 138 of the Negotiable Instruments Act, which resulted in the conviction of the respondent herein. The respondent filed an appeal in Cr.A.No.70 of 2021 against the conviction before the III Additional District and Sessions Judge, Tiruchirappalli. During the pendency of the said appeal, the matter was settled out of Court. The appellant herein received the entire cheque amount and settled the issues. Therefore, the learned Appellate Judge set aside the conviction and sentence imposed upon the respondent herein.

3. Thereafter, the petitioner herein filed an application in Crl.M.P.No.15810 of 2024 before the learned Judicial Magistrate No.II, Trichy, seeking the return of Exs.P8, P9, P11 and P12. However, the learned Judicial Magistrate dismissed the petition on the ground that no reason had been assigned for the return of the documents.

4. This Court carefully considered the submissions made by the learned counsel for the petitioner herein and perused the materials available on record.

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5. The documents marked as the exhibits mentioned above relate to the appellant's business, and he requires them for his reference. There is no dispute that all four documents belong to the appellant. Therefore, there is no reason for the Trial Court to retain those documents.

6. Accordingly, the Criminal Appeal is allowed, and the impugned order passed by the learned Judicial Magistrate No.II, Trichy, in Crl.M.P.No.15810 of 2024 in C.C.No.362 of 2016, dated 09.09.2024, is hereby set aside.

7. The documents, namely, Exs.P8, P9, P11 and P12, are directed to be returned to the appellant upon substitution of certified copies thereof.

02-11-2026

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

DSS

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D.LINGESWARAN, J.

DSS

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To

1. The Judicial Magistrate No.2, Trichy.

Copy To :
Section Officer (VR Section)
Madurai Bench of Madras High Court

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