

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.14830 & 14831 of 2015

1.Dr.T.Balaji
2.Captain K.V.Narayanan ... Petitioners in both Crl.OPs.

Vs.

1. M/s.K.P.Textiles (Coimbatore) Pvt.Ltd.,
No.4/237, Caltonpet (PO)
Sulur, Coimbatore - 641 401,
Rep.by its Manager &
Authorised Representative
R.Manoharan
2. M/s.Lakshmi Apparels and Wovens Ltd.,
Rep.by A.L.Ramachandran,
Managing Director,
No.10/400, Palakkad Road,
Kuniamuthur P.O.
Coimbatore - 641 008.
3. A.L.Ramachandra,
Managing Director,
M/s.Lakshmi Apparels and Wovens Ltd.,
No.10/400, palakkad Road,
Kuniamuthur P.O.,
Coimbatore - 641 008. ... Respondents in both Crl.OPs.

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C to call for records and quash the complaint dated 18.08.2014 now pending on the file of the Fast Track Court No.I, Coimbatore, in S.T.C Nos.1645 of 2014 & 1646 of 2014 respectively against the petitioners.

For Petitioners in : Mr.M.Aravind Subramaniam
both Crl.OPs.

For Respondents No.1 : Mr.R.Vasudevan
in both Crl.OPs

C O M M O N O R D E R

These criminal original petitions have been filed to call for records and quash the complaint dated 18.08.2014 now pending on the file of the Fast Track Court No.I, Coimbatore, in S.T.C Nos.1645 of 2014 & 1646 of 2014 respectively against the petitioners.

2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents.

3. For the sake of convenience, the parties will be referred as complainant and the accused.

4. M/s.K.P Textiles (Coimbatore) Pvt., Ltd., (complainant) lodged two complaints for an offence under Section 138 N.I.Act, which were taken on file as S.T.C No.1645 of 2014 and S.T.C.No.1646 of 2014 by the learned Fast Track Court No.I, Coimbatore and process was issued to the petitioners/accused 4 and 6, challenging which, they are before this Court to quash the applications.

5. The short point in this petition is that the petitioners herein had resigned from the Directorship of M/s.Lakshmi Apparels and Wovens Ltd., (A1) in the year 2010 and 2012 itself and the impugned cheques were issued by the first accused company only in the year 2014. This fact is admitted fairly by the learned counsel appearing for the complainant.

In view of the above fact, the prosecutions in S.T.C.Nos. 1645 & 1646 of 2014 on the file of the learned Fast Track Court No.I, Coimbatore, as against the petitioners / accused 4 & 6 alone are quashed and these petitions stand allowed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sms

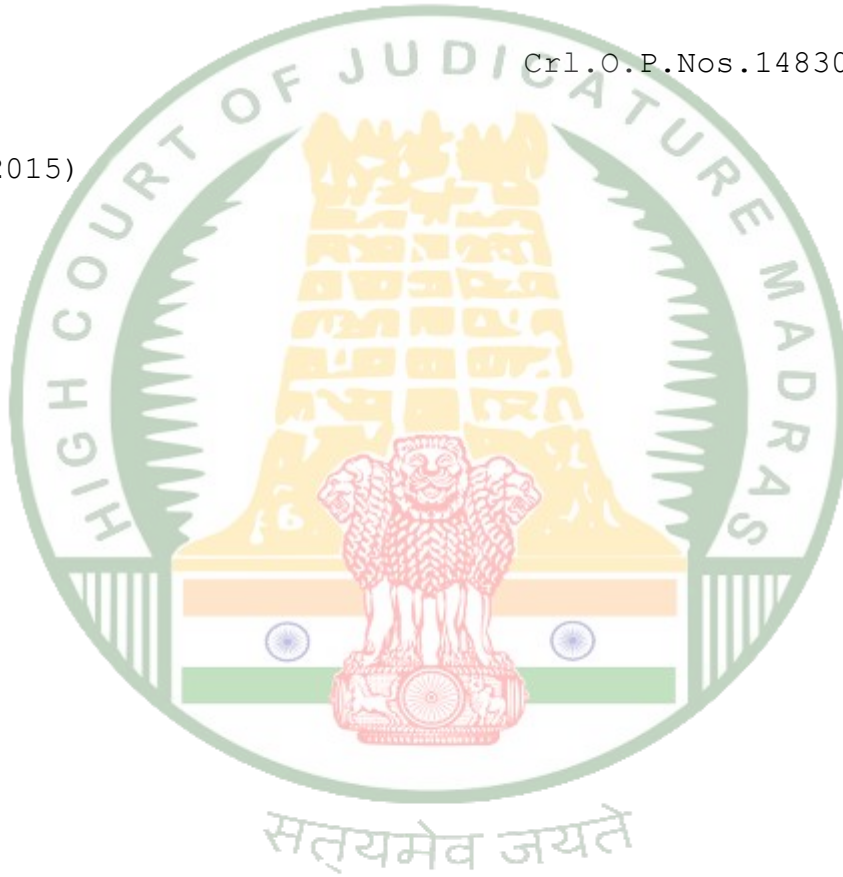
To

1.The Presiding Officer,
Fast Track Court No.I,
Coimbatore

2.-Do- The Principal District & Sessions Judge,
Coimbatore.

Crl.O.P.Nos.14830 & 14831 of 2015

VP(CO)
CA(11/08/2015)



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