

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2015

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.8379 of 2008

and

M.P.Nos.1 & 2 of 2008

A.Adal Vengai

...Petitioner

Vs.

M/s.Citi Bank N.A.  
Mercantile Plaza,  
229, NSC Bose Road,  
Chennai 600 001.

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the entire records pertaining to the complaint in C.C.No.8359 of 2007 pending on the file of III Metropolitan Magistrate, George Town, Chennai and quash the same.

For Petitioner : Mr.M.Lenin Samuel

O R D E R

This criminal original petition has been filed to call for the entire records pertaining to the complaint in C.C.No.8359 of 2007 pending on the file of III Metropolitan Magistrate, George Town, Chennai and quash the same.

2. Heard the learned counsel appearing for the petitioner.

3. On a reading of the complaint, it clearly shows that the petitioner had borrowed money from the respondent bank and defaulted in making repayment, in respect of which, the respondent bank has lodged a private complaint in C.C.No.8359 of 2009 for offences under Sections 406 & 420 I.P.C. against this petitioner before the III Metropolitan Magistrate Court, George Town, Chennai, challenging which, this petitioner has approached this Court.

4. It is common knowledge that during the year 2008 and 2010, hundreds of complaints were filed by various private banks before the Magistrates in Madras City against borrowers for failure to repay the borrowed amount. This came to the notice of a learned Single Judge of this Court, who directed the Registry to call for a report through Registrar General and the learned single judge, by an order dated 21.08.2008 in Crl.OP.Nos.15451 and 15981 of 2008, quashed all the private complaints. Somehow, this private complaint has escaped the net and survived till date.

In the result, this Criminal Original Petition is allowed and proceedings in C.C.No.8379 of 2008 pending on the file of III Metropolitan Magistrate Court, George Town, Chennai is hereby quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar

True Copy

Sub Assistant Registrar

sms  
To

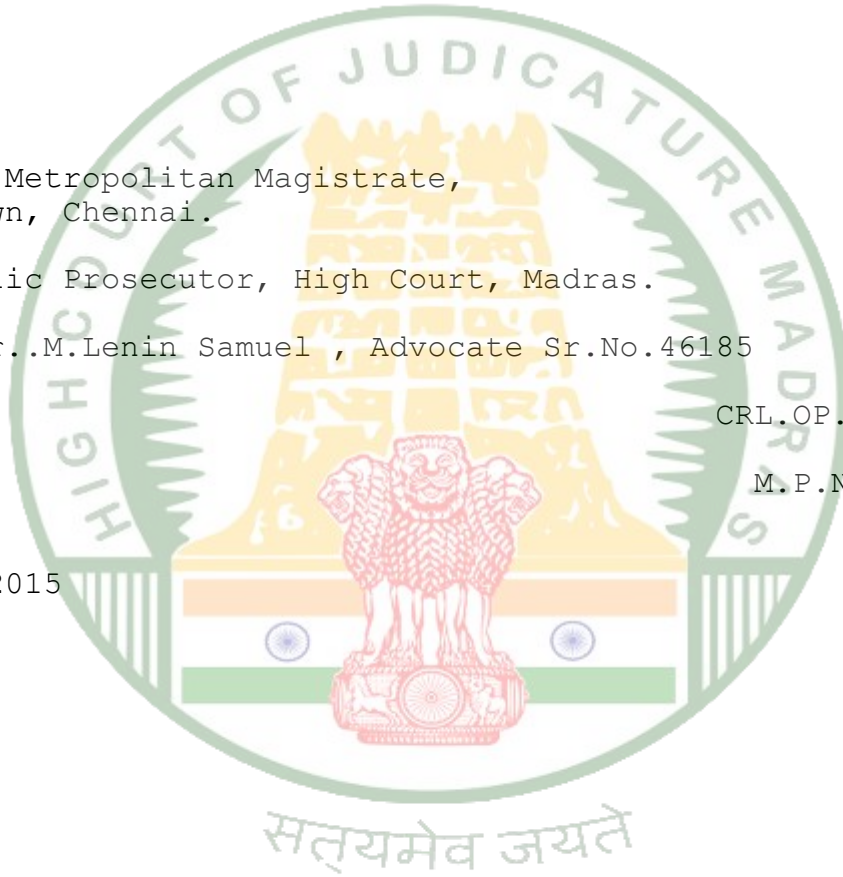
1.The III Metropolitan Magistrate,  
George Town, Chennai.

2.The Public Prosecutor, High Court, Madras.

1 cc to Mr..M.Lenin Samuel , Advocate Sr.No.46185

CRL.OP.No.8379 of 2008  
and  
M.P.Nos.1 & 2 of 2008

svi (Co)  
pmk.10.9.2015



WEB COPY