

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
Crl.OP No.20022 of 2015
and M.P. No.1 of 2015

Lakshmipathy

.. Petitioner/Accused

Vs

M/s.Radianz Energy Pvt. Ltd.,
Rep. by its Director K.Seetharaman
No.6/12, South Street,
Thapalampuliyur,
Thiruvarur District.

.. Respondent/Complainant

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to call for the records in C.C.No.276 of 2015 on the file of the learned Judicial Magistrate, Fast Track Court, Alandur, Chennai and quash the same in so far as this petitioner is concerned.

For Petitioner :Mr.S.Arumugam

ORDER

This Criminal Original Petition has been filed praying to call for the records in C.C.No.276 of 2015 on the file of the learned Judicial Magistrate, Fast Track Court, Alandur, Chennai and quash the same.

2. Heard Mr.S.Arumugam, the learned counsel for the petitioner.

3. It is the case of the petitioner that the cheque in question was issued as a security to the complainant and that the complainant had misused the said cheque. The Hon'ble Supreme Court in S.Krishnamoorthy Vs. Chellammal [2015 (4) Scale 371] has held that this Court cannot go into the disputed question of fact, in the petition filed under Section 482 Cr.P.C., and that should be left to the Trial Court to decide.

5. Hence, this Criminal Original Petition is dismissed with liberty to the petitioner to raise all the points before the Trial Court. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

The Judicial Magistrate, Fast Track Court, Alandur
Chennai.

Crl.OP No.20022 of 2015

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