

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.8798 of 2015

T.Seethalakshmi .. Petitioner

Vs

P.Packirisamy .. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the complaint in STR No.607/2010 on the file of Judicial Magistrate No.2, Karaikal.

For Petitioner : Mr.S.Sounthar

ORDER

The petitioner has come up with this petition to quash the complaint in STR No.607/2010 on the file of learned Judicial Magistrate No.2, Karaikal.

2. Heard the learned counsel for the petitioner.

3. It is seen that cognizance of the complaint was taken up by the trial court in the year 2010 and till today there has not been any disposal of the case. The learned counsel for the petitioner submits that the petitioner is not even holder of the account and that she has been voluntarily implicated as accused in this case.

4. On perusal of the impugned cheque, it is seen that the petitioner and her husband signed the same. If the petitioner is disputing her signature, then it is a question of fact, which can be gone into only during trial and not in the proceedings under Section 482 of Cr.P.C. Therefore, this Criminal Original Petition is dismissed with direction to the trial court to complete the trial within a period of six months from the date of receipt of a copy of this order. All the defences are left open to the petitioner to be taken before the trial court.

Sd/-

Asst.Registrar (AD I)

/true copy/

Sub Asst. Registrar

To

1. Judicial Magistrate No.2, Karaikal.

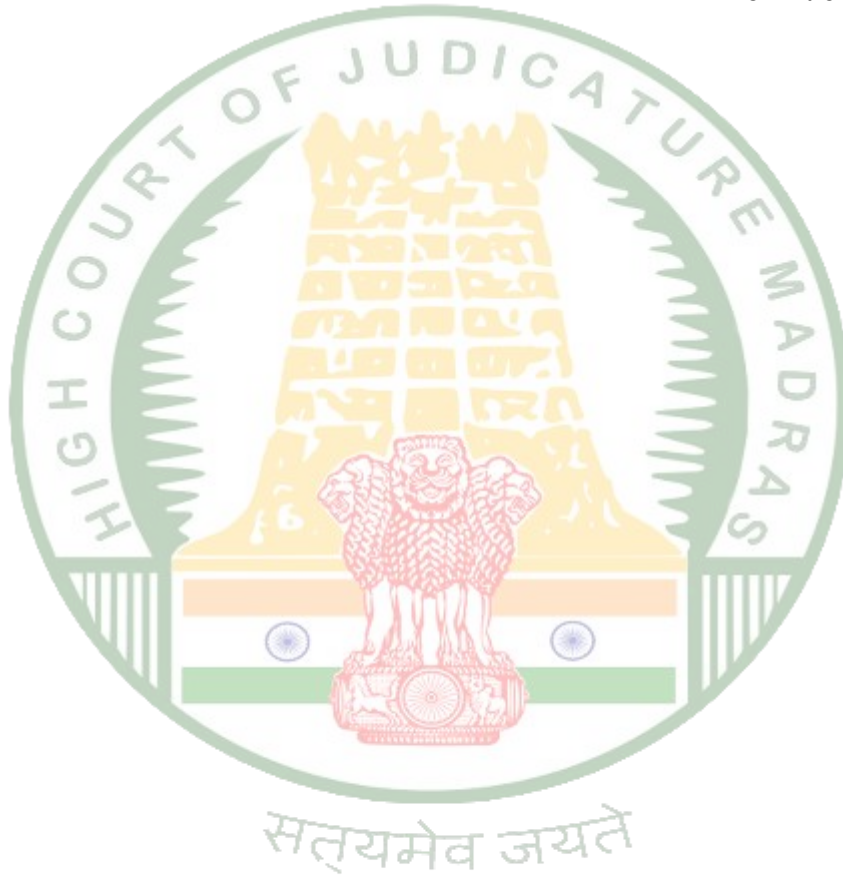
2. do through the Chief Judicial Magistrate  
Pondicherry

3.The Public Prosecutor,  
High Court, Madras.

1 cc to Mr.S. Sounthar, Advocate, Sr. 19628

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RK (CO)  
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