



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P.(MD)No.12172 of 2015

and

M.P(MD)Nos.1 and 2 of 2015

Velmurugan

... Petitioner

Vs.

M.Basheer

Ahamed

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records and quash the complaint in C.C.No.59 of 2015 on the file of the learned Judicial Magistrate Court, Valliyoor.

For Petitioner : Mr.J.C.Rathinavel Pandian

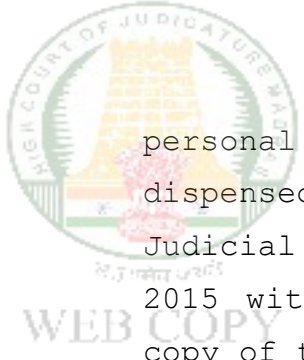
ORDER

This Criminal Original Petition is filed to quash the complaint filed under Section 138 of N.I. Act in C.C.No.59 of 2015 on the file of the learned Judicial Magistrate Court, Valliyoor.

2.The learned counsel for the petitioner submitted that there is no necessity to borrow amount from the respondent. He further submitted that it is not known the respondent an income-tax assessee or not. It is further submitted that the petitioner has not signed the alleged cheque and therefore, the proceedings pending against the petitioner may be quashed.

3.Heard the learned counsel for the petitioner and perused the materials available on record.

4. The proceedings are summary in nature. This Court cannot go into the question of fact. In view of the same, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed. However, all the issues are left open to be raised before the Court below. Considering the submission made,



personal appearance of the petitioner before the Court below is dispensed with until and unless the same is required. The learned Judicial Magistrate Valliyoor, is directed to dispose of C.C.No.59 of 2015 within a period of nine months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(Per.Admn.)

\\True copy\\

Sub Assistant Registrar

To

The Judicial Magistrate,
Valliyoor.

+1cc to Mr.J.C.Rathinavel Pandian, Advocate Sr.No.35638

akm/13.07.15 /2p-3c/

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