



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2016

CORAM

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD) No.8887 of 2016

and

Crl.M.P(MD) Nos.4371 and 4372 of 2016

Amarnath

: Petitioner/Accused

-vs-

Mr.Athipathi Pandi

Managing Partner

M/s.Varnik Systems Services Pvt. Ltd.,

No.1, 1st Cross Street, Trichy-21.

Rep. Through his Attorney

Mr.A.Thiruppathiraj

: Respondent/Complainant

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to call for the records in connection with the case in STC No.92 of 2014 pending on the file of the Judicial Magistrate Fast Track Court, Theni and quash the same and pass such further orders.

For Petitioner

: Mr.V.Sankaranarayanan

O R D E R

This petition has been filed under Section 482 Cr.P.C., praying to call for the records relating to the case in STC No.92 of 2014 on the file of the learned Judicial Magistrate Fast Track Court, Theni and to quash the same.

2.Mr.V.Sankaranarayan, learned counsel appearing for the petitioner would submit that the petitioner is an allottee of the land by the TNSIDCO by the allotment order, dated 22.01.2004. The respondent entered into an agreement with the petitioner to purchase the land on 04.07.2012 for a sale consideration of Rs.50,00,000/-, but subsequently, he was not interested to purchase the land and he presented two cheques issued as security and based on the dishonour of the cheques, the present complaint has been filed.

<https://hcservices.ecourts.gov.in/hcservices> 3.The learned counsel would further submit that the petitioner was ready to get consent from the SIDCO, but the respondent was not interested to purchase the land. Since, the private complaint



was filed, based on the cheques issued as security, the complaint has to be quashed.

4.It is seen from the records that the trial is already commenced and three witnesses were examined on the side of the complainant. Further, whether the cheques were issued as security and whether the respondent is not interested to purchase the property can be decided only after trial. The petitioner has not made out any ground for quashing the complaint.

5.Hence, the petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To
Judicial Magistrate Fast Track Court,
Theni.

Cr1.O.P.(MD) No.8887 of 2016
09.09.2016

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