

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.Nos.6096 & 6097 of 2017 &
Crl.M.P.Nos.4541 to 4544 of 2017

1.Sheetal Agarwal

2.Swathi Agarwal Petitioners in both Crl. O.Ps

Vs.

Ramcharan Company (P) Ltd
Rep. by K. Narayanan,
No.505, 5th Floor, Delta Wing, Raheja Towers,
Old No.113-134, New No.177, Anna Salai,
Chennai - 600 002. Respondent in both Crl.O.Ps

PRAYERS IN BOTH CRL.O.PS.: Criminal Original Petitions filed under Section 482 of the Criminal Procedure Code praying to call for the records in C.C.Nos.3639 & 3640 of 2016 respectively, pending on the file of Metropolitan Magistrate (Fast Track Court - II) Egmore, Chennai and quash the same.

For Petitioners in both O.Ps : Mr.K.P.Anantha Krishna

For Respondent in both O.Ps : Mr.V.S.Senthilkumar

ORDERS

The Criminal Original Petitions have been filed for seeking to quash the proceedings in C.C.Nos.3639 & 3640 of 2016 respectively, pending on the file of Metropolitan Magistrate (Fast Track Court - II) Egmore, Chennai.

2. The petitioners herein are the eighth and ninth accused in C.C.Nos.3639 & 3640 of 2016 for the offences under Section 138 of the Negotiable Instrument Act. The main ground on which, the petitioners have filed the present petitions is that they were neither the Directors at the time of issuance of cheque nor had signed the impugned cheques.

3. Today, when the matter was called, the learned counsel for the respondent/complainant also concedes with the submission of the petitioners and the documents produced before this Court show that they had resigned from the company before the issuance of alleged cheques.

4. Recording the submission made by the learned counsel for the respondent herein, the proceedings in C.C.Nos.3639 & 3640 of 2016 on the file of learned Metropolitan Magistrate (Fast Track Court - II), Egmore, Chennai are quashed as against the petitioners herein/accused 8 and 9 namely Sheetal Agarwal and Swathi Agarwal respectively.

5. Hence both the criminal original petitions stand allowed, insofar as the petitioners herein are concerned. However, taking into consideration that the proceedings are pending from the year ***2016** onwards, the trial Court shall endeavor to dispose the proceedings as expeditiously as possible in any event within the period of six months from the date of the receipt of the copy of this Order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

Dated: 07/12/2017

*Corrected order as per the
Order of this court
dated 12/01/2018 in CrI.Op.6096 & 6097/2017

//True Copy//

Sub Assistant Registrar

nl/rts
To

The Presiding Officer,
Metropolitan Magistrate
(Fast Track Court - II) Egmore,
Chennai.

To be Substituted the Order
already despatched on
10/01/2018.

+2cc to Mr.K.P.Ananth Krishna, Advocate SR.No.84510,84509

+1cc to Mr.V.S.Senthi Kumar, Advocate SR.No.2848

CrI.O.P.Nos.6096 & 6097 of 2017 and
CrI.M.P.Nos.4541 to 4544 of 2017

sm:11.12.2017
GN(19/01/2018)