

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2017

CORAM:

THE HON'BLE Mr.JUSTICE C.T. SELVAM

Crl.O.P.Nos.642 & 29021 of 2012

and

MP Nos.1 & 1 of 2012

K.Babu ..Petitioner/2nd Accused
in both Crl.O.Ps.
Vs.

A.Sridhar ..Respondent in both Crl.O.Ps/
Complainant

Criminal Original Petition filed under Section 482 of the Criminal Procedure Code praying to call for the records and quash the complaint in C.C.Nos.4449 of 2011 & 4267 of 2012 on the file of the X Metropolitan Magistrate, Egmore, Chennai and Fast Track Court-I, Egmore, Chennai respectively.

For Petitioner : Mr.V.T.Narendiran
in both Crl.O.Ps.

For Respondent : Mr.L.Rajasekar
in both Crl.O.Ps.

O R D E R

Petitioner seeks quash of proceedings in C.C.Nos.4449 of 2011& 4267 of 2012 on the file of the X Metropolitan Magistrate, Egmore, Chennai and Fast Track Court-I, Egmore, Chennai respectively.

2. Heard learned counsel for petitioner and learned counsel for respondent.

3. These quash petitions are to be allowed insofar as the petitioner is concerned inasmuch as the respondent has preferred a complaint informing commission of offences under Section 138 of Negotiable Instruments Act by the first accused. The cheque admittedly has been issued by the first accused. Therefore, the array of this petitioner as second accused in the cases for offence under Section 138 of Negotiable Instrument Act totally is unwarranted.

4. These Criminal Original Petitions are allowed. The proceedings in C.C.No.4267 of 2012 pending on the file of Fast Track Court No.I, Egmore, Chennai-8 and C.C.No.4449 of

2011 pending on the file of X Metropolitan Magistrate, Egmore, are quashed insofar as this petitioner is concerned. The petitioner is permitted to correct the petition to reflect the correct Court before which, it is pending. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CCC)

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Sub Assistant Registrar

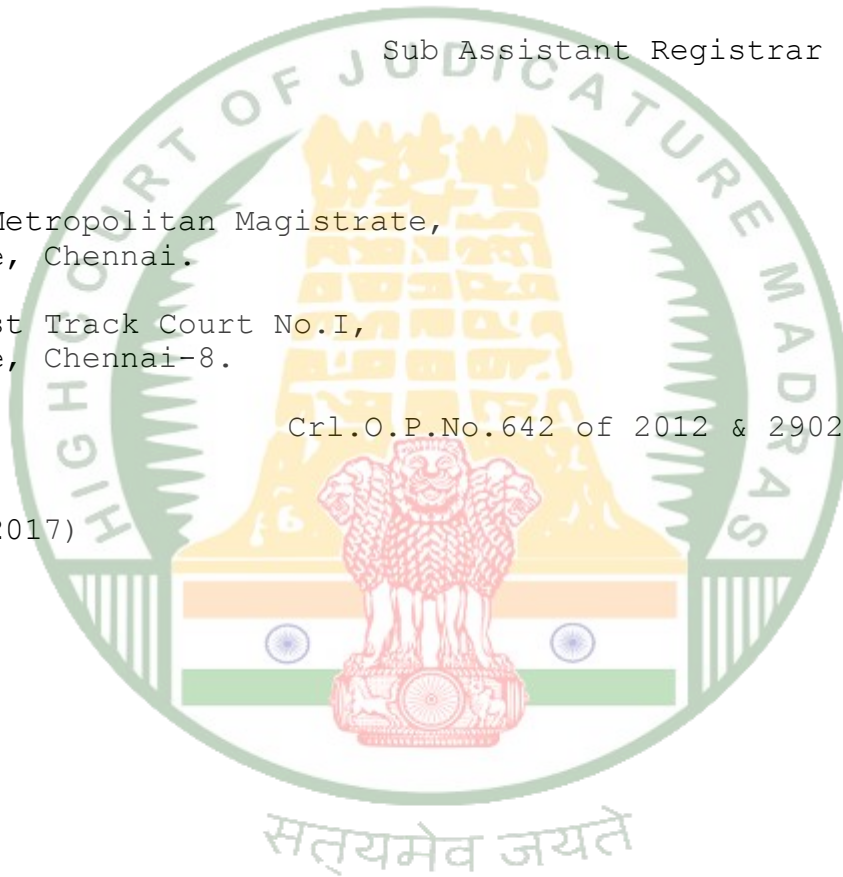
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To

1. The X Metropolitan Magistrate,
Egmore, Chennai.
2. The Fast Track Court No.I,
Egmore, Chennai-8.

Crl.O.P.No.642 of 2012 & 29021 of 2012

RK(CO)
GN(06/11/2017)



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