

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

CRL.O.P.Nos. 28679 and 28680 of 2017
and Crl.MP. Nos. 1,1,2 & 2 of 2017

1. Dr.T. Balaji
2. Captain K.V. Narayanan ..Petitioner
in two Crl.OPs

Vs

1. M/s. K.P. Textiles (Coimbatore) Pvt.Ltd.,
2. M/s. Lakshmi Apparels and Wovens Ltd., rep.By A.L.Ramachandren
3. A.L. Ramachandra
4. Mohan Nambiar ..Respondents
in two Crl.OPs

PRAYER in Crl.OP. No. 28679 of 2015: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for records and quash the complaint dated 04.12.2014, now pending on the file of the Judicial Magistrate No.I, Coimbatore in C.c. No. 326/2015.

PRAYER in Crl.OP. No. 28680 of 2015: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to call for records and quash the complaint dated 07.05.2014, now pending on the file of the Judicial Magistrate No.I, Coimbatore in C.c. No. 327/2015.

For Petitioners : M/s.M.Aravind Subramaniam

For Respondents : Mr.R.Vasudevan - For R1

: No Appearance - R2 to R4

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COMMON ORDER

Mr.R. Vasudevan, takes notice for the first respondent.

2. The short point for consideration in these petitions is that the petitioners have resigned from the post of Directors of M/s. Lakshmi Apparels and Wovens Ltd., who is the 2nd respondent herein in the year 2010 and 2012 itself, much prior to the issuance of the cheques.

3. In view of the fact that the petitioners were not directors of the Company when the impugned cheques were issued under the provisions of the N.I Act, are not attracted as against them.

4. Hence the proceedings in STC. Nos. 326 of 2015 and 327 of 2015 is quashed as against the petitioners.

With the above observations, the Criminal Original Petitions stands allowed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate-I,
Coimbatore.
2. The Chief Judicial Magistrate,
Coimbatore.
3. The Section Officer,
Criminal Section,
High Court, Madras.

CRL.O.P.Nos.28679 & 28680 of 2015

SS(CO)
CS/28/08/17

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