

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.4052 of 2011

S.Kavitha

... Petitioner/Accused

Vs

M/s.Kathir Foundation
No.BF-4, ALS Garden
8, Natarajan Street,
Dhanalakshmi Colony,
Vadapalani, Chennai-600 026.
rep.by its Branch Deputy Manager
T.Sugumar

... Respondent/Complainant

Petition filed under Section 482 of the Criminal Procedure Code, to call for the records pertaining to S.T.C.No.3343 of 2010 on the file of the Judicial Magistrate No.I, Mayiladuthurai and quash the same.

For Petitioner : No appearance

For Respondent : Mr.S.Sounthar

O R D E R

This Criminal Original Petition has been filed to call for the records pertaining to S.T.C.No.3343 of 2010 on the file of the learned Judicial Magistrate, Mayiladuthurai, and quash the same.

2.The case relates to the year 2010. The main allegation is that the cheque issued by the petitioner to the de facto complainant in respect of a loan borrowed from the de facto complainant, was returned for the reason 'funds insufficient', and hence the petitioner had issued the cheque with dishonest intention and hence she is liable to be punished under Section 138 of the Negotiable Instruments Act.

3.When this matter came up before this Court on 04.01.2017, this Court dismissed the stay petition on the ground that since the petitioner is facing criminal prosecution under Section 138

of the Negotiable Instruments Act, there is no point in keeping the petition pending.

4.Considering the facts and circumstances of the case, the Criminal Original Petition is dismissed directing the learned Judicial Magistrate, Mayiladuthurai to dispose of the case in S.T.C.No.3343 of 2010 as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

KM

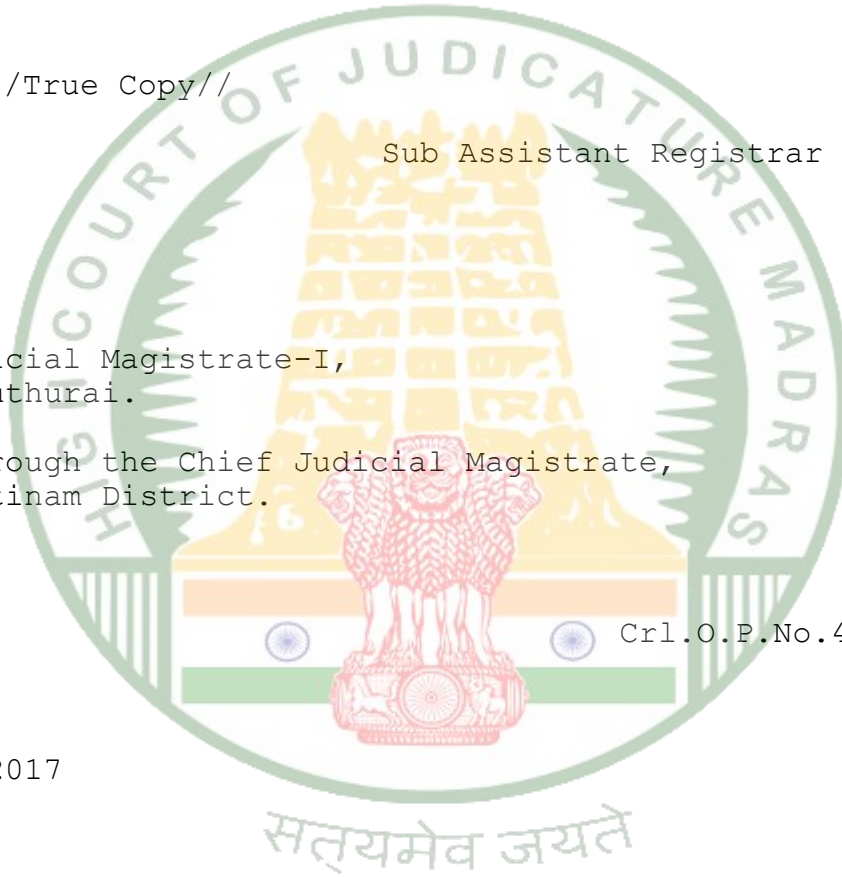
To

1.The Judicial Magistrate-I,
Mayiladuthurai.

2.-Do- Through the Chief Judicial Magistrate,
Nagapattinam District.

CrI.O.P.No.4052 of 2011

gr[co]
srg 14/2/2017



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