

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SUNDAR

Crl.O.P.No.9171 of 2011
& M.P.Nos. 1 & 2 of 2011

J.Tamiladiyan

... Petitioner/Accused

Vs

R.Jagadesan

... Respondent/Complainant

Criminal Original Petition has been filed under Section 482 Cr.P.C. to call for the entire records in C.C.No.6469 of 2008 pending on the file of the VII Metropolitan Magistrate, George Town, Chennai and to quash the same.

For Petitioner : No Appearance

ORDER

The main Criminal Original Petition has been filed with a prayer to quash C.C.No.6469 of 2008 on the file of the VII Metropolitan Magistrate, George Town, Chennai.

2. A complaint has been filed inter alia under Section 138 of the Negotiable Instruments Act.

3. The only ground that has been raised in this quash petition is with regard to the forum convenience. The petitioner/accused would submit that he is in Coimbatore and that the complaint has been filed in Chennai and is the say of the petitioner that it has been so done only for the purpose of harassing him.

4. Perusal of the complaint as well as the quash petition reveals that the complaint has been lodged before the Jurisdictional Magistrate and hence, the jurisdictional Magistrate has to entertain the complaint.

5. There is no representation for the petitioner when the matter was called.

6. However, the matter was examined on merits. It is open to the accused to raise the ground of territorial jurisdiction also before the learned Magistrate.

7. Criminal Original Petition is dismissed on merits.

8. Learned VII Metropolitan Magistrate, George Town, Chennai is directed to proceed with C.C.No.6469 of 2008 on his file on day-to-day basis and dispose of the same as expeditiously as possible and in any event, within six months, particularly in the light of the fact that the calender case is of the year 2008 and it is a decade now. Consequently, connected miscellaneous petitions are closed.

sd/
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The VII Metropolitan Magistrate, George Town, Chennai.
- 2.The Public Prosecutor, High Court, Madras.

Cr1.O.P.No.9171 of 2011

VGII (CO)
GN(28/03/2017)

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