

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.O.P.Nos.23444, 23445, 23446, 23447 and 23448 of 2012
and
M.P.No.1 of 2012 (in all cases)

B.Aloysius
S/o.Barnabas

.... Petitioner in all petitions

Versus

1.M/s.Anangoor Textile Mills (P) Ltd.,
represented by its Office Manager,
Senthil Kumar,
Old L.I.C Building,
3rd Street, Dharapuram Road,
Tiruppur District.

2.John Kingsly (Mandate Holder) ... Respondents in Crl.O.P.No.
23444/12

M/s.Iyyapan Packs
represented by its Proprietor
K.Annamalai
12/2, Rajammal Nagar,
Near Mahaliyamman Kovil,
Kumar Nagar, Tiruppur District.

... Respondent in Crl.O.P.No.
23445/12

1.M/s.Sri Siva Shakthi Compacting,
represented by its Office Manager
cum Power of Attorney,
R.Hari,
1-A, Muthuswamy Street Extension,
College Road, Tiruppur District.

2.John Kingsly (Mandate Holder)...Respondents in Crl.O.P.Nos.
23446, 23447/12

1.M/s.TRK Textile India Pvt. Ltd.,
represented by its Managing Director,
A.K.Jeya Prakash
represented by its Power of Attorney
M.Janakiramadurai S/o.Muneeswaraswamy
1-A, Muthuswamy Street Extention,
College Road, Tiruppur District.

2.John Kingsly (Mandate Holder)... Respondents in CrI.O.P.No.
23448/12

Criminal Original Petitions filed under section 482 of Criminal Procedure Code to call for records in S.T.C.No.1317 of 2010 on the file of learned Judicial Magistrate, Kangeyam and S.T.C.Nos.533, 1695, 1696 and 3432 of 2011 on the file of learned Judicial Magistrate I, Tirupur and quash the same.

Appearance:

For Petitioner :Mr.M.K.Yukanth for Mr.L.Infant Dinesh
(in all petitions)

For Respondents :Mr.N.Manokaran - R1 in CrI.O.P.No.23444
of 2012
Mr.K.Govi Ganesan-R1 in CrI.O.P.Nos.23446
& 23447/12
Mr.R.Bharath Kumar - R1 in
CrI.O.P.No.23448 of 2012

C O M M O N O R D E R

Petitioner seeks quash of proceedings in S.T.C.No.1317 of 2010 on the file of learned Judicial Magistrate, Kangeyam and S.T.C.Nos.533, 1695, 1696 and 3432 of 2011 on the file of learned Judicial Magistrate I, Tirupur.

2. Heard learned counsel for petitioner and learned counsel for first respondents.

3. The sole contention raised on behalf of petitioner, who admittedly is the proprietor of the concerns, against whom prosecution for offence u/s.138 of the Negotiable Instruments Act is launched, is that the agent/mandate holder has acted without authority in that, the authority vested in him was withdrawn even prior to the issuance of cheques. At best, the contention is in the nature of a defence. The same will not entitle seeking quash of cases.

The Criminal Original Petitions shall stand dismissed. Connected miscellaneous petitions are closed. Courts below is directed to dispose of the cases within a period of four months from the date of receipt of this order.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

1.The Judicial Magistrate,
Kangeyam.

2.The Judicial Magistrate I,
Tirupur.

3.Do Thro The Chief Judicial Magistrate,Tiruppur

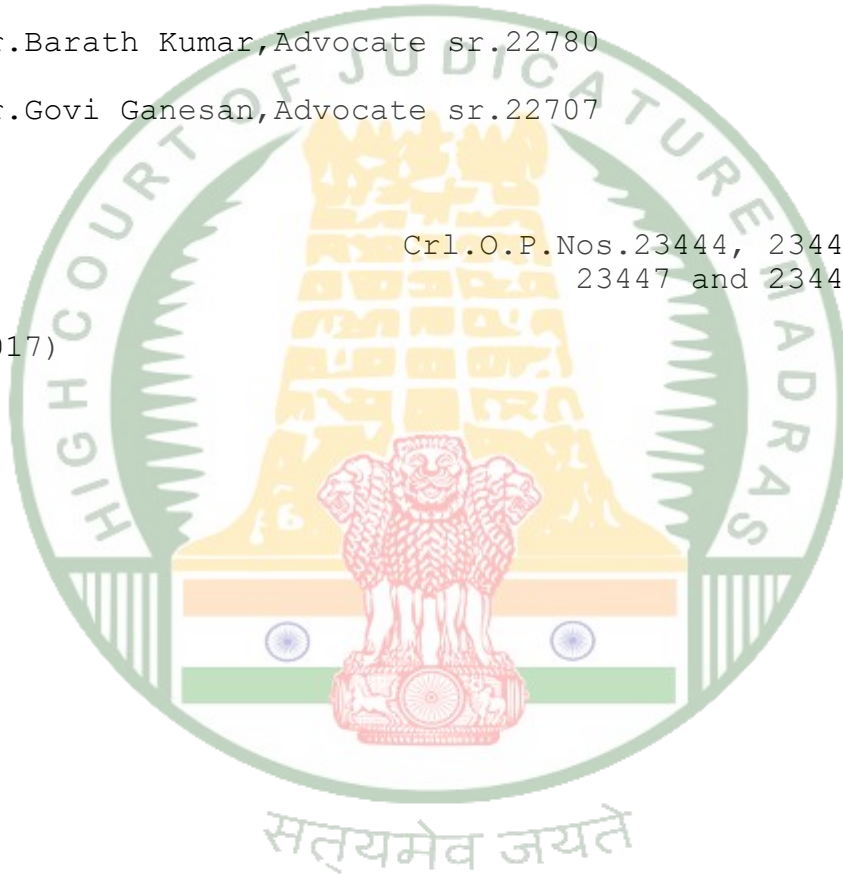
+1cc to Mr.N.Manokaran,Advocate sr.22773

+1cc to Mr.Barath Kumar,Advocate sr.22780

+1cc to Mr.Govi Ganesan,Advocate sr.22707

Crl.O.P.Nos.23444, 23445, 23446,
23447 and 23448 of 2012

mg(co)
ss(12/5/2017)



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