

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Cr1.O.P No.1861 of 2010
and
M.P.Nos.1 and 2 of 2010

V.Balamurugan Petitioner

vs.

Agriya Infoway Private Limited,
Rep by its Director N.Abinand,
No.96, Kaveri Complex,
Suit No:105, First Floor,
Nungambakkam High Court,
Chennai - 34. Respondent

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for records in C.C.No.990 of 2009 on the file of the XIV Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioner :M/s.T.Kishore Kumar

For Respondents: M/s.R.Deivendra

ORDER

This Criminal Original Petition is filed by the petitioner herein to call for the records in C.C.No.990 of 2009 on the file of the XIV Metropolitan Magistrate, Egmore, Chennai and quash the same.

2. Heard Mr.T.Kishore Kumar, learned counsel appearing for the petitioner and Mr.R.Deivendra, learned counsel appearing for the respondent.

3. The case of the petitioner is that the respondent/defacto complainant has filed a case in C.C.No.990 of 2009 on the allegation that the cheque, which has been issued by the petitioner's company on 31.08.2008, was presented before the ICICI Bank by the defacto complainant and the said cheque was returned on 18.09.2008 by the Bank stating that "Stop Payment" and the Bank has intimated the said message to the complainant by E-mail.

4. It is also the case of the petitioner that though the alleged cheque was issued on 31.08.2008, as per the information given by the Ministry of Corporate Affairs, Chennai, the petitioner's company was strike off from 31.03.2008. Therefore, there is no question of issuing cheque on 31.08.2008 in the name of the the company namely Agriya Infoway Private Limited, Chennai - 34.

5. In the result, the Criminal Original Petition is allowed and the case in C.C.No.990 of 2009 on the file of the XIV Metropolitan Magistrate, Egmore, Chennai, is quashed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

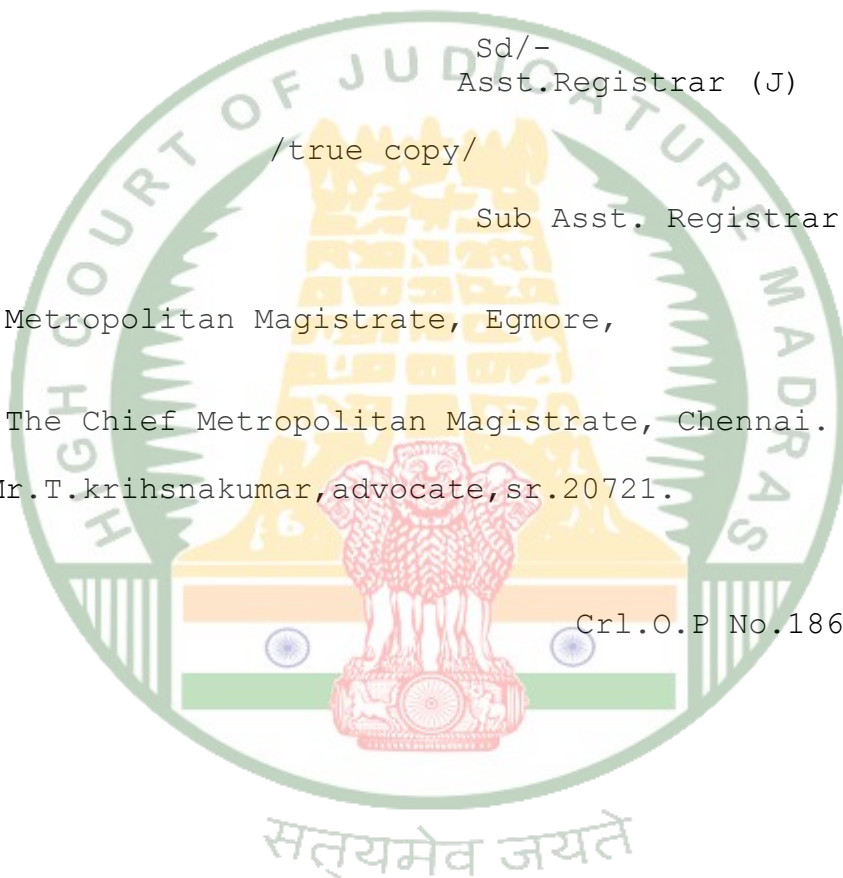
1.The XIV Metropolitan Magistrate, Egmore,
Chennai.

2.do thro'The Chief Metropolitan Magistrate, Chennai.

+1 cc to Mr.T.krihsnakumar,advocate,sr.20721.

lrs(co)
krd 20/4

Crl.O.P No.1861 of 2010



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