

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE C.T. SELVAM

CRL.O.P.No.27714 of 2012

&

M.P.No.1 of 2012

Priti Vaidynathan .. Petitioner/ A4

Vs.

N.Manisha
through her power of attorney/
husband Naresh A.Kathuriya
Door No.4-H, Mayflower Apartment
Bharathi Park road
Saibaba Colony
Coimbatore

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records relating to proceedings in S.T.C.No.841 of 2010 on the file of Judicial Magistrate I, Coimbatore and quash the same.

For Petitioners : Mr.V.Selvaraj

For Respondent : Mr.L.Mahendran

ORDER

Petitioner seek quash of proceedings in S.T.C.No.841/2010 on the file of the Judicial Magistrate I, Coimbatore.

2. Form 32 supported by the list of directors as on date informs that the petitioner cannot be prosecuted for offence u/s. 138 of the Negotiable Instruments Act.

3. The cheque giving rise to the cause of action has been dishonoured on 06.02.2010, whereas the petitioner has resigned from the directorship of the company as early as on 03.11.2009. In the said circumstance, this criminal original petition shall

stand allowed. The proceedings in S.T.C.No.841/2010 on the file of the Judicial Magistrate I, Coimbatore shall stand quashed in so far as this petitioner is concerned.

Office is directed to return the original papers to the learned counsel for respondent and taking into consideration the submission of the learned counsel for respondent, Court below is directed to dispose of the case as expeditiously as possible preferably within a period of four months from the date of receipt of a copy of this order. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

kpr

To

1. The Judicial Magistrate I, Coimbatore.
2. The Chief Judicial Magistrate, Coimbatore.

Copy to:

The Section Officer,
Criminal section,
High Court,Madras-104.

+1cc to M/s.V.Selvaraj, Advocate, S.R.No.24558/2017

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SV(CO)
CU(21/07/2017)