

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.02.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.Nos.26789 to 26795 of 2016
and
Crl.M.P.No.13433 to 13439 of 2016

P.Baskaran,
S/o.Parthasarathy

... Petitioner in
Crl.O.P.No.26789/2016/Accused

B.Parthasarathy

... Petitioner in
Crl.O.P.No.26790/2016/Accused

P.Baskaran,
M/s.Deepak Enterprises,
No.30/3, II Street,
I.C.F.Colony,
Chennai-600 038.

... Petitioner in
Crl.O.P.No.26791/2016/Accused

Kalyani

... Petitioner in
Crl.O.P.No.26792/2016/Accused

S.Ethiraj

... Petitioner in
Crl.O.P.No.26793/2016/Accused

Sulthana

... Petitioner in
Crl.O.P.No.26794/2016/Accused

Padmanabhan

... Petitioner in
Crl.O.P.No.26795/2016/Accused

सत्यमेव जयते
Vs

Sree Gokulam Chit & Finance, Co;(Pvt)Ltd
rep by Assistant Manager(Legal)Mr.V.Kukundan,
Sree Gokulam Towers,
No.66 Arcto Road, Chennai-24 ...Respondent in Crl.OPs.26790 to
26792 to 26795/16

Sree Gokulam Chit & Finance

Co., (Pvt) Ltd., represented by Legal Assistant,
Mr.P.Kaliappan, Sree Gokulam Towers,
No.66, Arcot Road, Chennai-600024. ... Respondent in Crl.OP.No.
26789 to 26791/16

Crl.O.P.No.26789 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.6651-B of 2013 in C.C.No.126 of 2011 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26790 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.6703 of 2013 in C.C.No.2805 of 2012 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26791 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.6651-A of 2013 in C.C.No.125 of 2011 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26792 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.6676-A of 2013 in C.C.No.4726 of 2011 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26793 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.555 of 2014 in C.C.No.2791 of 2013 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26794 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.6652 of 2013 in C.C.No.8997 of 2010 by setting aside the order dated 13.10.2016.

Crl.O.P.No.26795 of 2016 filed under Section 482 of the Criminal Procedure Code, to direct the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet to transmit the records relating to the documents stated in Crl.M.P.No.553 of 2014 in C.C.No.112 of 2012 by setting aside the order dated 13.10.2016.

For Petitioner in all : Mr.M.Shajahan
the CrI.O.Ps.

For Respondent in all : Mr.L.Rajasekar
the CrI.O.Ps.

COMMON ORDER

When these Criminal Original Petitions were taken up, the learned counsel for the petitioners has submitted that the orders under challenge herein are non-speaking orders and the same have been passed by the Trial Court without adducing any proper reasons. Stating so, the learned counsel for the petitioners prayed for quashing those orders.

2.Heard the learned counsel for the respondent. The records and the impugned orders have been perused by this Court.

3.As rightly pointed out by the learned counsel for the petitioners, the orders challenged herein, have been passed without adducing any proper reasons as regards the submissions made by the counsel on either side, as to the merits of the case. For this reason alone, it would be appropriate to set aside the orders impugned and remand back the matter to the Trial Court.

4.Accordingly, the impugned orders are quashed and the matter is remanded back to the learned Metropolitan Magistrate (Fast Track Court No.III), Saidapet, Chennai for passing appropriate detailed orders, after hearing both the sides.

5.The Criminal Original Petitions are disposed of accordingly. Consequently, the connected miscellaneous petitions are closed.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KM
To

1.The Metropolitan Magistrate
(Fast Track Court No.III), Saidapet

2.The Public Prosecutor,
Madras High Court,
Chennai-600 104.

CrI.O.P.Nos.26789 to 26795
of 2016
and
CrI.M.P.No.13433 to 13439
of 2016

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