

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.7024 of 2016
and
CrI.MP.No.3664 of 2016

1.Surekha Kothari
2.Anthara Kothari

.. Petitioners

..Vs.

M/s.Shakthi Industrial Corporation,
Rep.by Mr.Pandian – its Partner,
Office at 10/10C Venkatasami Street,
Railway Men's Colony, Kavundampalayam,
Coimbatore-641 030.

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records culminating in C.C.No.377 of 2015 dated 17.10.2015 on the file of the learned Judicial Magistrate No.1, Coimbatore and quash the same.

For Petitioners : Mr.S.Sivaraman
For Respondent : Mr.N.Anand Venkatesh

ORDER

This Criminal Original Petition has been filed to call for the records culminating in C.C.No.377 of 2015 dated 17.10.2015 on the file of the learned Judicial Magistrate No.1, Coimbatore and quash the same.

2. Pending the proceedings under Section 138 of the Negotiable Instruments Act, both the parties have amicably settled the issue with regard to the impugned cheque No.437446 and have entered into a compromise memo dated 08.06.2017. A copy of the same has also been furnished before this Court. As per the Clause 4 of the said compromise memo, the applicant had undertaken not to prosecute the case in C.C.No.377/2015 which is impugned in the present proceedings.

3. In view of the amicable settlement arrived at between the parties, this Criminal Original Petition is deserves to be allowed. Accordingly, the proceedings in C.C.No.377 of 2015 on the file of the learned Judicial Magistrate-I, Coimbatore, is quashed and this Criminal Original Petition is allowed. Crl.MP.No.3664 of 2016 miscellaneous petition is closed.

30.10.2017

Index:Yes/No

Speaking Order/Non Speaking Order

Kp/nl

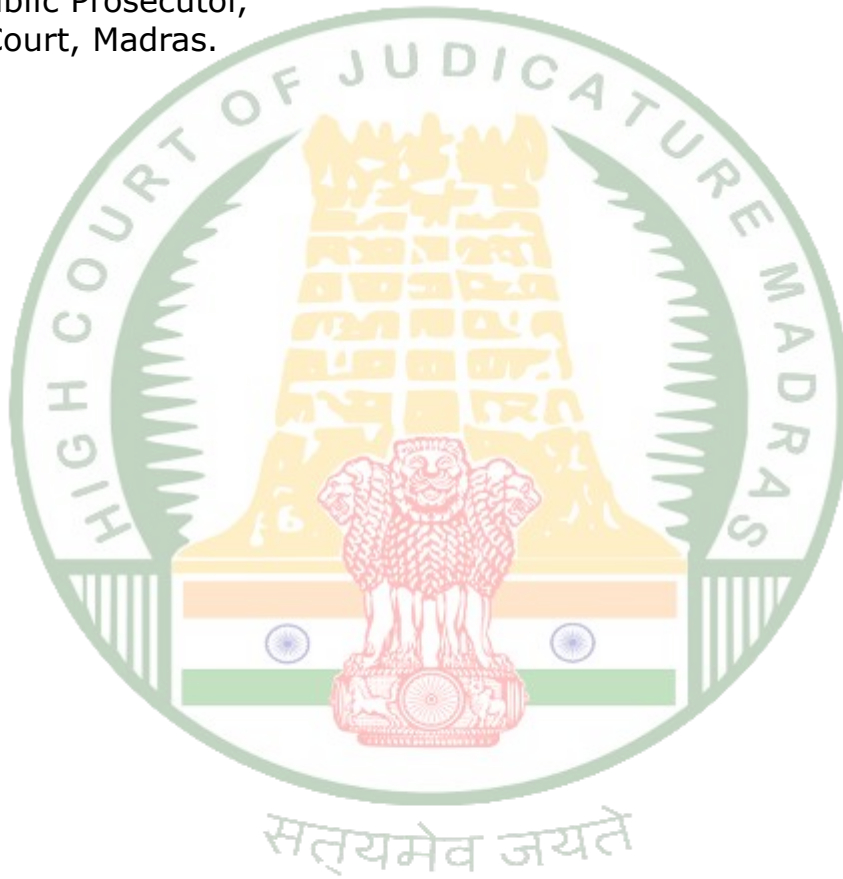
Note: Issue Order copy on 31.10.2017

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To

1.The Judicial Magistrate No.I,
Coimbatore

2.The Public Prosecutor,
High Court, Madras.



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M.S.RAMESH.J,

Kp/nl



Crl.O.P.No.7024 of 2016

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