



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

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THE HON'BLE MR.JUSTICE S.S.SUNDAR

CrI.O.P.(MD) No.22563 of 2016 and
CrI.M.P.(MD)Nos.11787 & 11788 of 2016 and 5448 of 2017

Lakshmi Rathi

... Petitioner/Accused-2

-Vs-

M.Adaikkappan

...Respondent/Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for records relating to the impugned complaint in S.T.C.No.226 of 2016 on the file of Fast Track Court, Karaikudi, and to quash the same and to allow this Criminal Original petition on the file of this Court.

For Petitioner : Mr.V.Janakiramulu
For Respondent : Mr.R.Raja

O R D E R

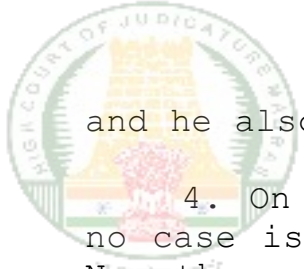
This Criminal Original petition is filed for quashing the impugned complaint in S.T.C.No.226 of 2016 on the file of Fast Track Court, Karaikudi.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. The undisputed facts in this case are as follows:-

The respondent filed a private complaint before the Fast Track Court, Karaikudi, in S.T.C.No.226 of 2016, against the first accused and the petitioner herein for the alleged dishonour of cheques for a total sum of Rs.54,40,000/-.

ii) The case of the petitioner in the quash petition is that her husband issued the cheque and that she has been falsely implicated unnecessarily. The defacto complainant has filed a petition to vacate stay, admitting that the cheques were not issued by the wife, namely, the petitioner in the quash petition



and he also stated about the relationship.

4. On reading of the criminal complaint, it can be seen that no case is made out against the petitioner in the quash petition. No other material is produced to make the petitioner/wife guilty of any other charges. In the said circumstances, this Court has no other option, but to allow this Criminal Original petition and to quash the impugned complaint in S.T.C.No.226 of 2016 on the file of the Fast Track Court, Karaikudi, in so far as, it relates to the petitioner, namely, Lakshmi Rathi, wife of P.Rajesh.

5. Having regard to the fact that the complaint has been preferred long back, the learned Judge, Fast Track Court, Karaikudi, is directed to dispose of the impugned complaint in S.T.C.No.226 of 2016, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the Criminal Original petition is disposed of. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

The Judge, Fast Track Court (Magistrate Level),
Karaikudi.

Pmu
AE/MR KKR/SAR3/20.07.2017/2P/2C

Cr1.O.P.(MD) No.22563 of 2016
12.07.2017