

INTHE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. Nos.14185 to 14187 of 2014  
and  
M.P.Nos.1,1,1 of 2014

Raghunath Tulshyan

.. Petitioner  
in all Crl OPs

. Vs .

M/s.Maheshwari Fabrics Private Limited,  
Fairlands, Off Bhavani Main Road, Erode,  
by its Senior Executive,  
Thiyagarajan, aged 40 years,  
S/o.Palaniaapan,  
No.22, Fairlands, Off Bhavani Main Road,  
Erode.

..Respondent in  
all Crl OPs

COMMON PRAYER: Criminal Original Petition filed under  
Section 482 of the Code of Criminal Procedure, to call for  
records relating to S.T.C.Nos.259, 260 & 393 of 2011, on the  
file of the Judicial Magistrate Fast Track Court No.II, Erode  
and quash the same.

For Petitioner: Mr.R.Arundathan  
(all Crl Ops) For C.Munusamy

For Respondent : Mr.E.P.Senniyangiri  
(all Crl Ops) Mr.E.Murugan

COMMON ORDER

These Criminal Original Petitions have been filed by  
A2, seeking to quash the proceedings initiated by the respondent  
for an offence under Section 138 of the Negotiable Instruments  
Act.

2.The learned counsel for the petitioner would submit that this petitioner has died, and therefore the case itself has abated and therefore the criminal complaint has abated insofar as this petitioner (A2) is concerned.

3.In view of the subsequent development, wherein the petitioner already died, the entire proceedings insofar as he is concerned gets abated. The complaint will survive only insofar as A1, A3 and A4 are concerned.

4.In the result, these criminal original petitions are disposed of with a direction to the Court below to proceed further with the complaint insofar as A1, A3 and A4 are concerned, and complete the proceedings within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

KP

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To  
The Judicial Magistrate,  
Fast Track Court No.II,  
Erode.

Crl.O.P. Nos.14185 to 14187/2018

BR(CO)  
KAK(15/02/2019)

सत्यमेव जयते

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