

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.Nos.23643 and 23644 of 2013
and
M.P.Nos.1 and 1 of 2013

SatinderNathSood ... Petitioner / Accused No.7 in
Crl.O.P.No.23643 of 2013

Sharvan Kumar Kundra ... Petitioner / Accused No.5 in
Crl.O.P.No.23644 of 2013

Vs

M/s.Texon (India) Pvt. Ltd.,
New No.208 B Old No.191,
Velacherry Tambaram Main Road,
Narayanapuram, Palikkaranaï,
Chennai - 600 100.
Rep. by its Finance Manager
Mr.K.Thiyagarajan ... Respondent / Complainant

COMMON PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C., to call for the records in CC No.64 of 2012 in the file of Judicial Magistrate FTC Court, Alandur and quash the same pertaining to the petitioner.

For Petitioner: Mr.S.Sathiyarayanan
in both petitions

For Respondent: Mr.D.Peruman Saranyan
in both petitions

O R D E R

Crl.O.P.No.23643 of 2013 has been filed by the accused No.7 to quash the proceedings in C.C.No.64 of 12 on the file of the Judicial Magistrate, Alandur.

2.Crl.O.P.No.23644 of 2013 has been filed by the accused No.5 to quash the proceedings in C.C.No.64 of 2012 on the file of the Judicial Magistrate, Alandur.

3. Heard both sides.

4. The learned counsel for the respondent/complainant has submitted that the respondent herein has filed a private complaint against the petitioners herein and others to punish them under Section 138 of the Negotiable Instrument Act. He further submitted that the learned Judicial Magistrate, Alandur, has returned the complaint with a direction to re-present the same before the concerned jurisdictional Court and hence, nothing survives in these petitions.

5. The learned counsel for the petitioners has submitted that if the complaint itself returned by the Judicial Magistrate, Alandur as submitted by the learned counsel for the respondent, then suitable orders may be passed.

6. Considering the representation submitted by the learned counsel for the respondent that already the learned Judicial Magistrate, Alandur has returned the complaint in C.C.No.64 of 12 with a direction to re-present the same before the concerned jurisdiction Court, nothing survives in these petitions. Therefore, these petitions are liable to be dismissed as infructuous.

7. In the result, these Criminal Original Petitions are dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsa
To

1. The Judicial Magistrate,
FTC Court, Alandur.
2. The Public Prosecutor,
Madras High Court, Chennai.

+2cc to M/S.S.Sathyannarayanan, Advocate Sr.55777 & 55778

CRL.O.P.Nos.23643 and 23644 of 2013
and
M.P.Nos.1 and 1 of 2013

srg 10/09/2018