

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No. 24148 of 2018
and CrI.M.P.Nos.13637 & 13638 of 2018

Gangadevi

..Petitioner

Vs

Dhandapani

..Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records complaint in S.T.C.No.576 of 2017 pending on the file of the learned Judicial Magistrate No.III at Cuddalore, Cuddalore District.

For Petitioner : M/s.S.Suresh

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging the 138 proceedings pending in STC.No.576 of 2017 on the file of the Judicial Magistrate No.III, Cuddalore.

2 The main ground that has been taken in the petition seeking to quash the proceeding is that there is no existing legally enforceable debt. According to the petitioner, the cheque that was given as a security for availing a hand loan from one Krishnarajan and the same has been misused by the respondent in this case. According to the petitioner there is absolutely no transaction between the petitioner and the respondent.

3 The ground that has been raised by the petitioner is purely factual in nature and this Court exercising its jurisdiction under Section 482 Cr.P.C., cannot go into such factual disputes. It is left to open to the petitioner to raise all the issues before the Court below and the Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

4 This Court does not find any merits in this petition. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Criminal Miscellaneous Petitions are also closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

rpl/lpp

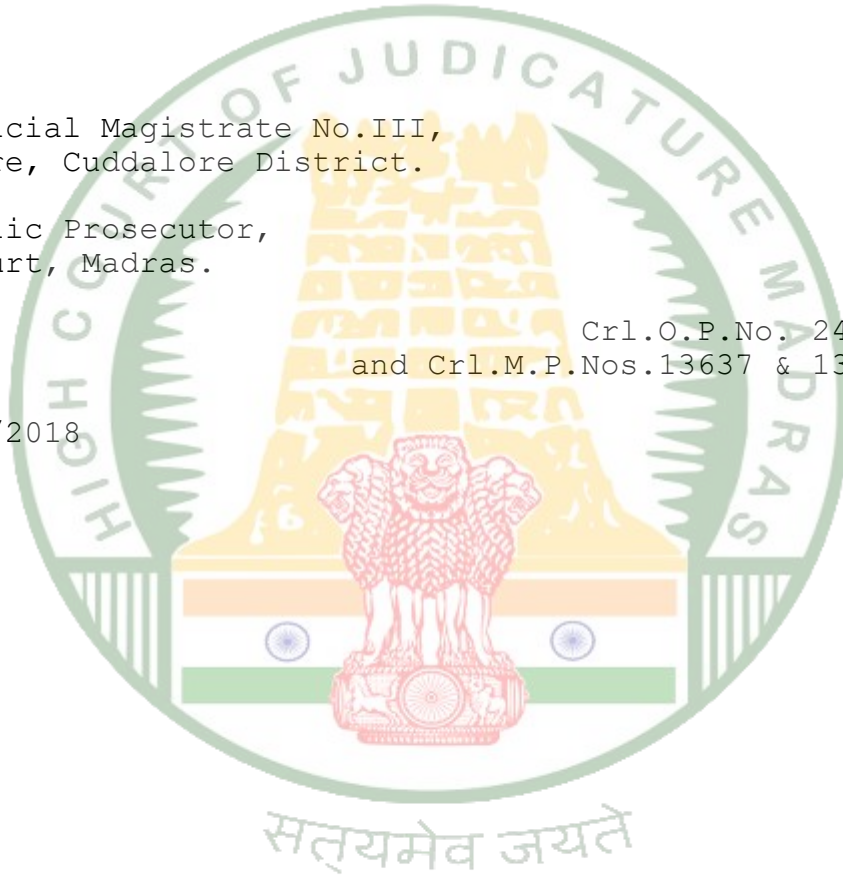
To

1.The Judicial Magistrate No.III,
Cuddalore, Cuddalore District.

2.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 24148 of 2018
and Crl.M.P.Nos.13637 & 13638 of 2018

rrs 26/11/2018



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