



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.10.2018
CORAM:
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD).No.5237 of 2016
and
Crl.M.P.(MD)Nos.2579 & 2580 of 2016

S.E.Moorthy

... Petitioner

Vs.

A.Chinnamani

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in S.T.C.No.4734 of 2015 on the file of Judicial Magistrate, Manaparai and to quash the same.

For Petitioner : Mr.S.C.Herold Singh
For Respondent : No appearance

O R D E R

This petition has been filed to quash the proceedings in S.T.C.No.4734 of 2015, on the file of the learned Judicial Magistrate, Manaparai.

2.This petition has been filed on the ground that statutory notice was issued beyond the period of 15 days. This ground taken by the petitioner is not maintainable since after the amendment under Section 138 of the Negotiable Instruments Act, with effect from 06.02.2003, the notice can be issued within 30 days from the date of information from the bank. Therefore, the statutory notice issued by the respondent is well within the time.

3.The other grounds that have been raised by the petitioner are all factual in nature and the same has to be contested only before the Court below in the case of proceedings and the Court below shall consider the same on its own merit and in accordance with law.

4.This Court does not find any merits in this petition. Accordingly, this Criminal Original Petition is dismissed and there shall be a direction to the Court below to complete the proceedings in S.T.C.No.4734 of 2015, within a period of three months from the date of receipt of a copy of this order. Consequently, Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(AD-I)



To

1. The Judicial Magistrate,
Manaparai.

2. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.S.C.Herold Singh, Advocate, SR.No.92351

Ls

SS/SKN/SAR 3/30.11.2018/2P/4C

Cr1.O.P. (MD) .No.5237 of 2016
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