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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.(MD).No.562 of 2016

and

CrI MP(MD) Nos.284 and 285 of 2016

P.Suresh Kumar

... Petitioner

Vs.

S.Kasirajan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to the case in STC No.187 of 2015 on the file of the Fast Track Court No.II, (Magistrate Level) Madurai and quash the same.

For Petitioner

:Mr.N.Mariappan

O R D E R

This petition has been filed seeking to quash the proceedings in STC No.187 of 2015, pending on the file of the Fast Track Court No.II, (Magistrate Level) Madurai.

2.The ground that has been raised in this petition is that the respondent has not filed any documents, in order to prove that he had financial wherewithal to pay such a huge of amount of Rupees fifty lakhs to the petitioner.

3.The factual ground that has been raised by this petitioner, cannot be gone into in this petition by this Court in exercise of its jurisdiction under Section 482 of CrPC. All these issues can be raised before the Court below in the course of trial.

4.This Court does not find any merits in this criminal original petition and the same is dismissed. The Court below is directed to complete the proceedings in STC No.187 of 2015, within a period of three months and report compliance to the Registry,



immediately after completion of the proceedings. Consequently, connected miscellaneous petitions are closed.

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/True Copy/

Sd/-
Assistant Registrar (CS-III)

Sub Assistant Registrar (CS-II)

To

The Judge, Fast Track Court No.II,
(Magistrate Level) Madurai.

DSK
TE/SV/SAR-2 : 09/11/2018 : 2P/2C

Cr1.O.P.(MD).No.562 of 2016
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