



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P.(MD).No.9513 of 2016
and
Cr1MP(MD)No.4781 of 2016

P.Subbulakshmi ...Petitioner
Vs.
C.Dharmaraj ...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records pertaining to complaint filed by the respondent before the learned Judicial Magistrate Court No.I, Kovilpatti as STC No.595 of 2016 and quash the same as against this petitioner.

For Petitioner :Mr.B.Rajesh Saravanan

For Respondent :No appearance

O R D E R

This petition has been filed seeking to quash the proceedings STC No.595 of 2016.

2.The learned Counsel for the petitioner would submit that the complaint has been filed under Section 138 of NI Act and Section 420 of IPC.

3.According to the learned Counsel for the petitioner no case has been made out for the offence under Section 420 of IPC. Therefore, this complaint has to be quashed.

4.It is seen from records that the Court below has taken cognizance of the complaint only for the offence under Section 138 of NI Act. It is therefore, clear that the Court below has not taken cognizance of the complaint under Section 420 of IPC. Therefore, the ground raised by the petitioner cannot be sustained.

5.The petitioner is at liberty to raise all the grounds before the Court below and the Court below is directed to consider the same in accordance with law.

6.In the result, this Criminal Original Petition is dismissed and there shall be a direction to the Court below to complete the proceedings in STC No.595 of 2016 within a period of



three months from the date of receipt of copy of this order and report compliance to the Registry immediately after completion of the proceedings. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar (CS-II)

dsk

To
The Judicial Magistrate Court No.I,
Kovilpatti

Cr1.O.P. (MD) .No.9513 of 2016

NM/SV/SAR II/14.11.18/2P/2C.