

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1706 of 2015
and
M.P.Nos.1 and 2 of 2015

S.Gayathri ...Petitioner

Vs.

B.R.Selvarajulu ...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records in C.C No.222 of 2013 on the file of the Judicial Magistrate No.I cum Fast Track Court, Coimbatore and quash the same.

For Petitioner : Mr.S.Venkatesh

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 and 142 of the Negotiable Instruments Act.

2. The grounds raised by the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and

circumstances of the case, the presence of the petitioner is dispensed with and she shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

4. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.222 of 2013 within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate No.I cum
Fast Track Court,
Coimbatore.

CRL.OP.No.1706 of 2015
and
M.P.No.1 and 2 of 2015

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A.SK(29/08/2019)

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