

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.24396 to 24398 of 2010

Vettrivel ... Petitioner in all the Crl.O.Ps./
Accused (in all Crl.Op's)

Vs.

M/s.Media One Global Entertainment Ltd.,
Rep by it Distribution Incharge
Mr.Durai. ... Respondent in all the Crl.O.Ps./
Complainant (in all Crl.Op's)

Common Prayer:

Petitions filed under Section 482 of Cr.P.C., seeking to call for the records and quash the proceedings in C.C.Nos.4059, 4058 and 4057 of 2010 respectively, on the file of XVII Metropolitan Magistrate Court, Saidapet, Chennai.

For Petitioner : M/s.S.T.P.Kuilmozhi

C O M M O N O R D E R

The petitioner has filed these petitions seeking to call for the records and to quash the proceedings in C.C.Nos.4059, 4058 and 4057 of 2010 respectively, on the file of the XVII Metropolitan Magistrate Court, Saidapet, Chennai.

2.The learned counsel appearing for the petitioner would submit that the respondent alleges that the petitioner issued five cheques for discharging the liabilities, however, the respondent issued only one legal notice on 23.10.2009 instead of issuing separate legal notices and lodged separate complaints which is un-sustainable.

3.The learned counsel appearing for the petitioner would further submit that as per Section 220 (1) of Cr.P.C., if, in one series of acts so connected together as to form the same transaction, more offences than one are committed by the same person, he may be charged with, and tried at one trial for, every such offence. Accordingly, the learned counsel prayed for

allowing the criminal original petitions.

4.The contention of the learned counsel appearing for the petitioner is that the petitioner is alleged to have issued five cheques to the respondent for discharging the liability, however, the respondent issued only one legal notice on 23.10.2009 instead of issuing separate legal notices and lodged separate complaints before the competent Court, which is unsustainable. On this ground alone, the complaints lodged by the respondent cannot be quashed. The issue raised is a triable issue which has to be decided by the Trial Court after trial.

5.Hence, I am not inclined to interfere with the proceedings in C.C.Nos.4059, 4058 and 4057 of 2010 respectively, on the file of the XVII Metropolitan Magistrate Court, Saidapet, Chennai.

6.It is now represented by the learned counsel appearing for the petitioner that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible. She would further submit that the appearance of the petitioner before the Trial Court may be dispensed with.

7.In view of the above, this Court directs the learned XVII Metropolitan Magistrate Court, Saidapet, Chennai, to expedite the trial in C.C.Nos.4059, 4058 and 4057 of 2010 respectively and complete the same, within a period of six months from the date of receipt of a copy of this order. The appearance of the petitioner before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the petitioner for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

8.With the above directions, these criminal original petitions are disposed of. Consequently, connected miscellaneous petitions, if any, are closed.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

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To

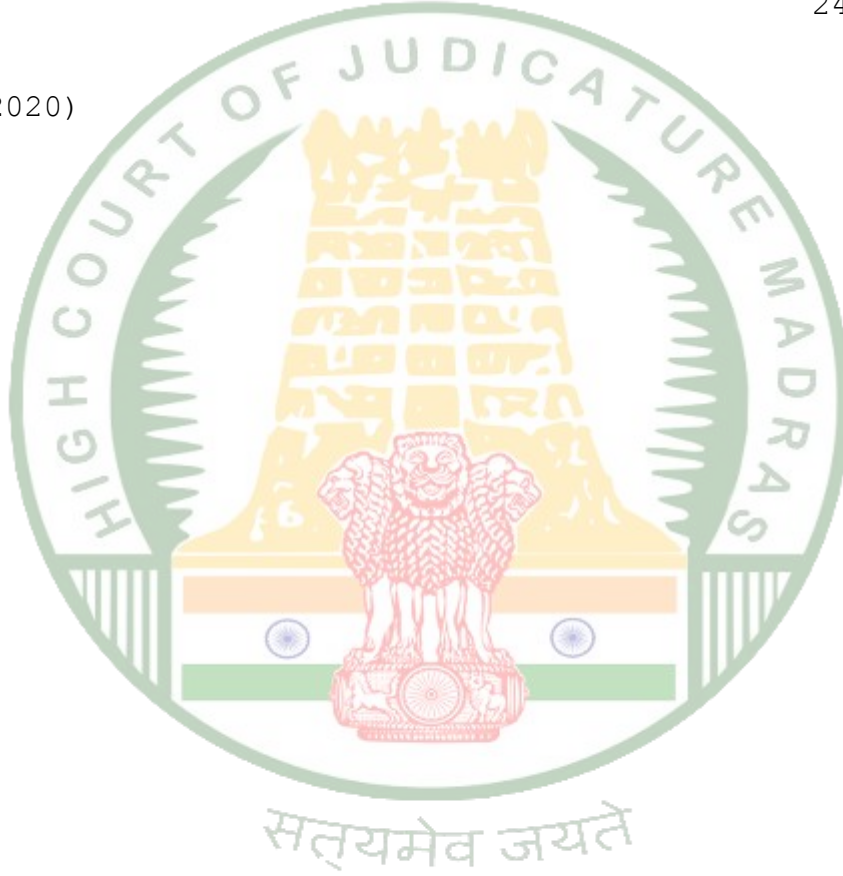
1.The XVII Metropolitan Magistrate Court,
Saidapet, Chennai.

2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+1cc to M/s.S.T.P.Kuilmozhi, Advocate SR.104386

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RSI (CO)
CB(10/02/2020)



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