

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2019

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.30127 of 2013 and
Crl.M.P.Nos.1 & 2 of 2013

Prasanna Rani

... Petitioner

Versus

M/s.Arujun Amaravathi Chits (P) Ltd.,
Reg. Office at No.30,
Kutchery Road, Mylapore,
Chennai 600 004.
Rep. by its Executive Assistant,
Mr.T.Damodaran

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records C.C.No.3739 of 2013 on the file of XVII Metropolitan Magistrate, (Fast Track Court) Saidapet, Chennai.

For Petitioner : Mr.C.Venkatesan

For Respondent : No Appearance

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.3739 of 2013 on the file of the XVII Metropolitan Magistrate, (Fast Track Court) Saidapet, Chennai.

2. The learned counsel for the petitioner submitted that the petitioner's husband one Sugumar was a subscriber to the chit fund conducted by the respondent vide ticket No.AE/TL9/20 and the cheque in question had been issued by the petitioner. He further submitted that, a statutory notice has been issued by the respondent on 18.03.2013 and the same was received by the petitioner on 20.03.2013. Even before expiry of the statutory period as contemplated under Section 138 of the Negotiable Instruments, a complaint came to be filed by the respondent.

3. The issues that have been raised by the learned counsel for the petitioner are factual one and this Court does not want

to interfere with the proceedings at this stage and it is left open to the petitioner to raise all the contentions before the Court below in the course of trial.

4. In the result this Criminal Original Petition stands dismissed by giving liberty to the petitioner to raise all the issues before the Court below and consequently, the connection Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The XVII Metropolitan Magistrate,
(Fast Track Court) Saidapet,
Chennai.

+1cc to Mr.C.Venkatesan, Advocate Sr.45968

CRL.O.P.No.30127 of 2013

rsv[co]
srg 08/07/2019

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