

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.31940 of 2013
and
M.P.Nos.1 & 2 of 2013

Tamilselvan ... Petitioner/Sole Accused

Vs.

T.Asokan ... Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records pending on the file of the Judicial Magistrate Court No.II, Chidambaram in S.T.C.No.410 of 2013 and quash the criminal proceeding.

For Petitioner : Mr.V.Paarthiban

For Respondent : Mr.T.Gopinath for
M/s. Royan Law Associates

O R D E R

Criminal Original Petition is filed to call for the records pending on the file of the Judicial Magistrate No.II, Chidambaram in S.T.C.No.410 of 2013 and quash the criminal proceeding.

2.The petitioner is an accused in S.T.C.No.410 of 2013 on a private complaint filed by the respondent for the offence under Section 138 of the Negotiable Instruments Act, pending trial on the file of the Judicial Magistrate Court No.II, Chidambaram.

3.The learned counsel for the petitioner submits that the trial has already commenced and witnesses were examined in this case. He further submits that the trial in the case has already commenced and witnesses were examined. Now the case is at the stage of defence. The points raised herein have to be raised in the trial.

4.The learned counsel appearing for the respondent submits that the points raised by the petitioner are not sustainable and the trial Court had proceed with the case. Further submitted that the petitioner was examined as PW1 and the bank official was examined as PW2 and the above witnesses were cross-examined and the complainant side evidence was closed. The accused was questioning and the case is at the stage of defence. Hence, he prayed to dismiss the quash petition.

5.Considering the above submission nothing survives for adjudication in this matter. Accordingly, this quash petition is dismissed. Since the case is at the stage of defence and it is pending from the year 2013, therefore, the trial Court is directed to complete the trial within a period of one month from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.II,
Chidambaram
2. Do Thro' The Chief Judicial Magistrate,
Cuddalore.

+1cc to M/s. Royan Law Associates, Advocate, S.R.No.31145

सत्यमेव जयते

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SKV(CO)
CS/20/05/2019

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