

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Cr1.O.P No.27537 of 2016
and Cr1.M.P No.14032 of 2016

Uthirapathi

Petitioner

vs.

V.Balasubramanian

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records of complaint in S.T.C.No.1644/2015 pending trial on the file of the learned Judicial Magistrate, Jayankondam and to quash the same.

For Petitioner :Mr.R.Premanandhan

For Respondent :Mr.Gandhi

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner for the offences under Sections 420 IPC and Section 138 and 142 of the Negotiable Instrument Act.

2. The various grounds raised by the learned counsel for the petitioner are all factual in nature and the same requires appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in S.T.C.No.1644 of 2015 on the file of the Judicial Magistrate, Jayankondam, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mpa

To

1. The Judicial Magistrate,
Jayankondam.
2. The Public Prosecutor,
High Court of Madras,
Madras.

+1 cc to M/s.T.Gandhi, Advocate, S.R.No.62993

+1 cc to M/s.Corner Stone Associages, Advocate, S.R.No.63268

Crl.O.P No.27537 of 2016
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VG-II(CO)
SSM(30/08/2019)

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