

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.3440 of 2019 and
CrI.O.P.No.2193 & 2194 of 2019

Vasudevan

... Petitioner

Vs

K.P.Nakkeeran

.... Respondent

Prayer : Criminal Original Petition is filed under Section 438 of Criminal Procedure Code, to set aside the order dated 19.11.2018 made in C.M.P.No.3013 of 2018 in S.T.C.No.135 of 2018 on the file of Judicial Magistrate Court No.III, Salem and to allow the above Criminal Original Petition.

For Petitioner : Mr.C.Prabakaran

O R D E R

This Criminal Original Petition has been filed challenging the order dated 19.11.2018, passed in C.M.P.No.3013 of 2018 in S.T.C.No.135 of 2018 on the file of the Judicial Magistrate Court No.III, Salem.

2.The petitioner is facing trial before the learned Judicial Magistrate No.III, Salem for the offences under Sections 138 & 142 of the Negotiable Instruments Act. The petitioner filed a C.M.P.No.3013 of 2018 in S.T.C.No.135 of 2018 seeking to stop the proceedings till the criminal complaint instituted by the petitioner is concluded by the Police. But, the Court below dismissed the petition filed by the petitioner. Hence, the present petition filed to set aside the order passed by the Court below.

3.It is seen that the Court below dismissed the petition on the ground that the points raised by the petitioner to stop the proceedings in S.T.C.No.135 of 2018 is not sufficient and is an abuse of process of law. This Court is does not find any illegality or infirmity in the order passed by the Court below.

4. Accordingly, this Criminal Original Petition is dismissed.
Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate Court No.III,
Salem.

2. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.3440 of 2019

BR(CO)
SSM(30/04/2019).



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