

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.14869 of 2019
and
Crl.M.P.No.7281 and 7282 of 2019

T.Ramalingam ... Petitioner

Vs.

Chithra ... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records pertaining to STC.No.258 of 2018 on the file of the Judicial Magistrate I at Ariyalur and quash the same.

For Petitioner : Mr.T.Gobinath

O R D E R

This petition has been filed seeking to quash the proceedings pending in STC.No.258 of 2018 on the file of the learned Judicial Magistrate No.II, Ariyalur.

2.The petitioner is facing trial before the Court below for an offence under Section 138 of Negotiable Instruments Act.

3.The learned counsel for the petitioner has raised various issues before this Court and has pleaded before this Court to quash the proceedings pending before the Court below.

4.This Court not in a position to go into any issues raised by the learned counsel for the petitioner, in view of the fact that PW1 has already been examined in chief and cross examined by the petitioner and the case is now at the stage of questioning under Section 313 of Cr.P.C. At this stage, this Court is not inclined to interfere with the proceedings. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law.

5.The Court below is directed to complete the proceedings within a period of three months from the date of receipt of a copy of this order. The learned counsel for the petitioner requested to dispense with the appearance of the petitioner before the Court below. Taking into consideration of the facts and circumstances of the case, the appearance of the petitioner is dispensed with and he shall be represented by a counsel. The petitioner shall appear before the Court below at the time of questioning under Section 313 of Cr.P.C. and at the time of passing the final judgment.

6.This Criminal Original Petition is disposed of accordingly. Consequently, connected CrI.M.P.No.7281 of 2019 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vs

To

1.The Chief Judicial Magistrate,
Ariyalur.

2.The Judicial Magistrate No.II,
Ariyalur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Gobinath, Advocate sr.48991(27/06/2019)

CrI.O.P.No.14869 of 2019
and

CrI.M.P.No.7281 and 7282 of 2019

nr 18/06/2019

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