

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.24386 of 2014

and

M.P.No.1 of 2014

Mr.K.L.Ragavan
S/o K.Rathnababu,
Proprietor M/s. Sana International
No.3, K.M. Adam Salai,
Nagalkeni, Chrompet,
Chennai - 600044.Petitioner

Vs.

Mr.S.Ramesh
S/o Subramani
Proprietor-K.M. Traders,
No.364, Podhigai Nagar,
Behind TNHB, Walajapet,
Vellore District.Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records in pursuant to the complaint given by the respondent under Section 138 of Negotiable Instrument Act, 1881 pending on the file of the Judicial Magistrate No.II, Walajapet in C.C.No.36 of 2014 and quash the same.

For Petitioner : Mr.T.P.Prabakaran

For Respondent : Mr.K.V.Ananthakrishnan

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of the Negotiable Instrument Act.

2. The grounds raised by the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. 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. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.36 of 2014 within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sni/uma

To

1.The Judicial Magistrate No.II,
Walajapet,
Vellore District.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.V.Anantha Krishnan, Advocate, S.R.No. 48867

+1cc to Mr.T.P.Prabakaran, Advocate, S.R.No. 48954

CRL.OP.No.24386 of 2014
and
M.P.No.1 of 2014

SSD(CO)
GN(08/07/2019)

सत्यमेव जयते

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