

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.25450 of 2014
and
M.P.Nos.1 & 2 of 2014

S.Duraisamy

...Petitioner

Vs.

1. Hitech Universal Printers and Publishers,
(India) Private Limited,
Rep by its Power of Attorney Holder,
Mr.R.N.Saravanan,
Son of D.S.Rajendran,
Senthoor Nagar, Mylampatty Post,
Coimbatore - 641062.
2. M/s.P.G.C.Textile Corportation (P) Ltd,
No.5, Rajaji Nagar,
P.N.Road,
Tiruppur.
3. Prem Durai,
Chairman & Managing Director,
M/s.P.G.C.Textile Corportation (P) Ltd,
No.5, Rajaji Nagar,
P.N.Road,
Tiruppur.
4. Aadith Vikram,
Vice Chairman and Director,
M/s.P.G.C.Textile Corporation (P) Ltd,
No.5, Rajaji Nagar,
P.N.Road,
Tiruppur.

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records in C.C.No.376/2014 on the file of Judicial Magistrate No.VI, Coimbatore and quash the same as against the petitioner.

For Petitioner : Mr.S.K.Myilsamy

ORDER

This petition has been filed challenging the proceedings initiated by the respondents 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.376/2014 within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sni/uma

To

1.The Judicial Magistrate No.VI,
Coimbatore.

2. The Public Prosecutor,
High Court, Madras.

CRL.OP.No.25450 of 2014
and
M.P.Nos.1 & 2 of 2014

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

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