

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.26378 of 2014

and

M.P.Nos.1 & 2 of 2014

M/s.K.K.TEX,

Represented by its sole proprietor,
P.Eshwaramoorthy

...Petitioner

Vs.

M/s.ICICI Bank Ltd.,

Rep. by its Debt Service Manager,
Bellar Donbosco,
S/o.Donbosco,
No.5, Dar Complex, Sastri Road,
Near Ramar Koil, Ram Nagar,
Coimbatore District.

...Respondent

PRAYER :

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the C.C.No.479 of 2014 on the file of the Judicial Magistrate No.II at Coimbatore and quash the same by allowing this criminal original petition.

For Petitioner : Mr.Ananda Gomathy

For Respondent : Mr.T.Muruganathan

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 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, the Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in C.C.No.479 of 2014, within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

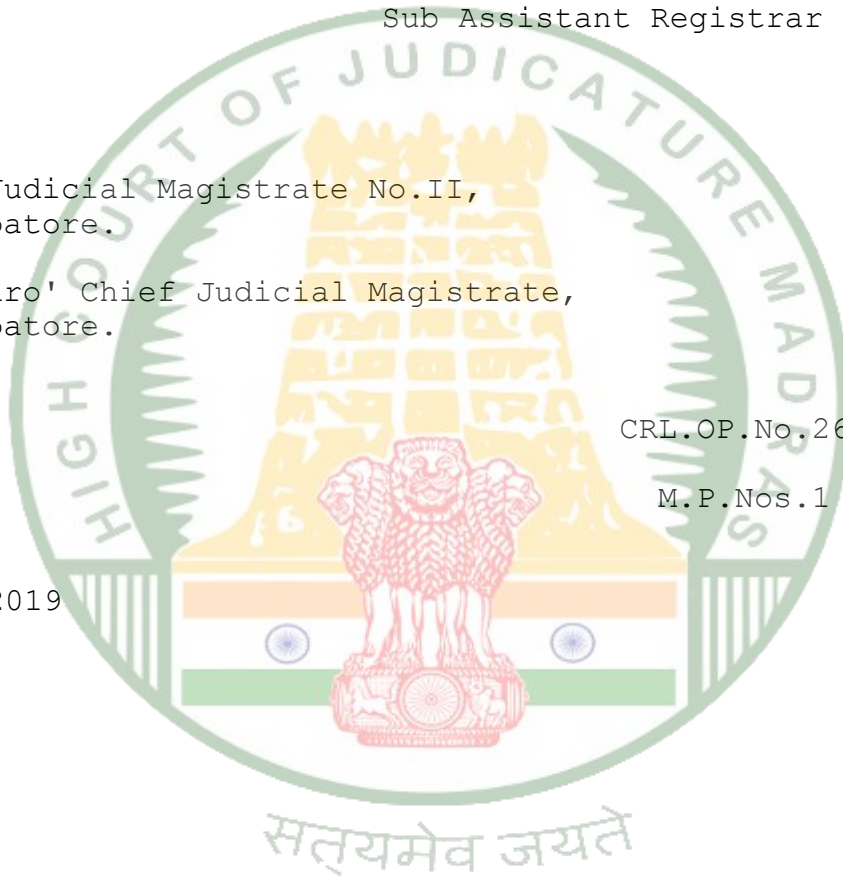
sni/uma

To

1. The Judicial Magistrate No.II,
Coimbatore.
2. Do Thro' Chief Judicial Magistrate,
Coimbatore.

CRL.OP.No.26378 of 2014
and
M.P.Nos.1 & 2 of 2014

KS (CO)
CS/24/07/2019



WEB COPY