

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.18059 of 2019

and

Crl.M.P No.9119 of 2019

Narmadha Devi

...Petitioner

Vs.

S.Guruvel

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the complaint in STC No.03 of 2019 pending on the file of Fast Track Court (Magistrate level), Tiruvellur filed under Section.200 of Crl.P.C. r/w Section 138, 141 & 142 of Negotiable Instruments Act 1881 dated 21.01.2019 and quash the same by allowing this Criminal Original Petition.

For Petitioner : Mr.R.Marudhachalamurthy

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138, 141 & 142 of the Negotiable Instrument Act.

2. The grounds raised by the counsel for 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. The learned counsel for the petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioner

shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

4. Accordingly, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in STC No.03 of 2019 within a period of four months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ub  
To

The Fast Track Court (Magistrate level),  
Tiruvallur.

+1cc to Mr.R.Marudhachalamurthy, Advocate Sr.58419

CRL.OP.No.18059 of 2019  
and  
Crl.M.P.No.9119 of 2019

kk[co]  
srg 07/08/2019

सत्यमेव जयते

WEB COPY