

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18535 of 2019
and
Cr1.M.P.Nos.9391 & 9392 of 2019

Sivakumar Natesan

...Petitioner/Accused

-Vs-

HDFC Bank Limited,
Represented by its Legal Officer,
Mr.Anbarasan,
CEEGBROS, No.110, Nelson Manickam Road,
Aminjikarai,
Chennai - 29.

...Respondent/ Complainant

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records and quash the complaint in C.C.No.7415 of 2017 on the file of Learned XVIII Metropolitan Magistrate Court at Saidapet, Chennai.

For Petitioner : Mr.Pugazhenthir G.

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to quash the proceedings initiated by the respondent under Section 138 of the Negotiable Instruments Act.

2. The grounds raised by the petitioner are all factual in nature and the same cannot be gone into under Section 482 of Cr.P.C. It is left open to the petitioner to raise all these grounds before the Court below and the Court below shall consider the same, in accordance with law.

3. 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 before the Court below. 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 judgment. The counsel representing the

petitioner shall cross examine the witness on the same day, they are examined in Chief.

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

sni

Sd/-
Assistant Registrar

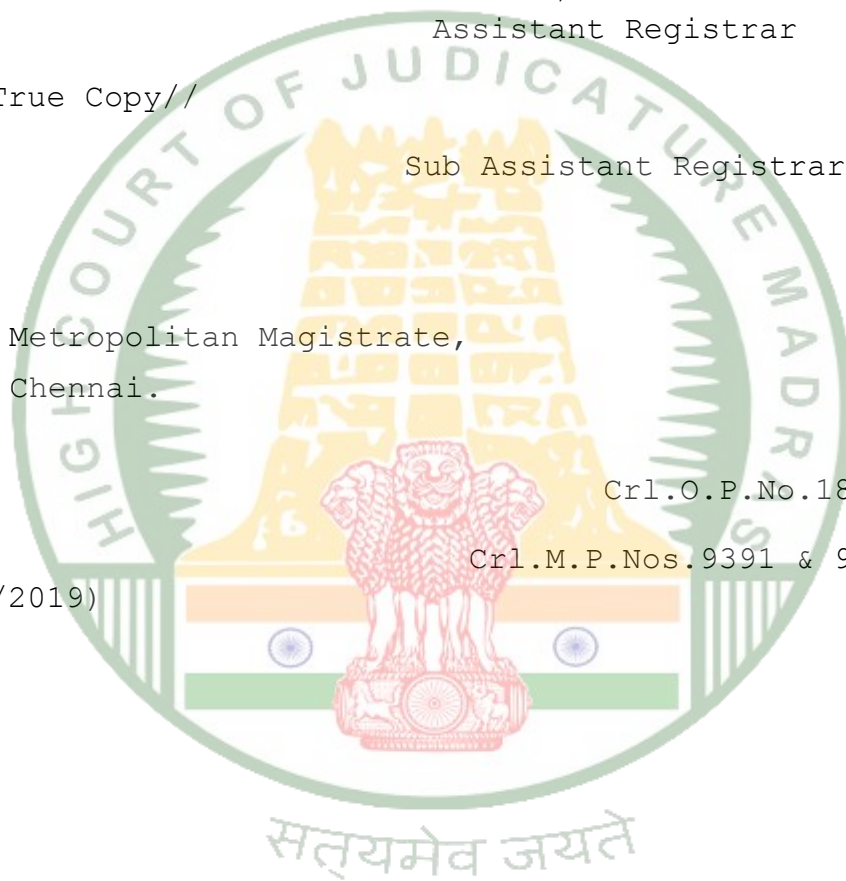
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Sub Assistant Registrar

To
The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

Crl.O.P.No.18535 of 2019
and
Crl.M.P.Nos.9391 & 9392 of 2019

Kak (20/08/2019)



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