



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.18401 of 2019

and

Crl.M.P.Nos.9327 & 9328 of 2019

S.M.Kala

W/o Mr.Sellappa Pillai

Proprietrix of Sri Padmavathy Silks and Readymades,

K.M.Buildings, Vaitheswaran,

Nagarcoil -1.

...Petitioner/Accused

-Vs-

1. M.Kalarani

2. R.Selvi

(Both are Proprietors of Ravi Textiles, Salem

Represented by their Power Agent

E.Jaganathan S/o Easwaran,

280/84/E(2), Arumuga Pillai Thottam

Line Medu, Salem - 6.)

...Respondents/Complainant

Prayer: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for records and quash the case against petitioner in S.T.C.No.63 of 2017 pending before the Judicial Magistrate No.III, Salem.

For Petitioner : Mr.Anbarasan P.

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to quash the proceedings initiated by the respondents 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 she 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 in S.T.C.No.63 of 2017, within the 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

//True Copy//

Sub Assistant Registrar

sni
To

The Judicial Magistrate No.III,
Salem.

CrI.O.P.No.18401 of 2019
and
CrI.M.P.Nos.9327 & 9328 of 2019

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srg 06/08/2019