

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.21605 of 2019
and CrI.M.P.Nos.11189 & 11190 of 2019

S.Selvam

Proprietor of Sri Selvanaayaki Selvam Tex,
Door No.1/30, Thottipalayam,
Karavazhi Madappur,
Somanur Via,
Sulur Taluk
Coimbatore

... Petitioner / Accused

vs.

R.Yogaraj

Son of Ramasamy Gounder,
Proprietor of Andavar Blue Metals,
Door No.1/12, Kovilpalayam,
Masilapalayam Post,
Mettur Taluk, Salem District.

... Respondent / Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, pleased to call for the records in S.T.C.No.126 of 2016 on the file of Judicial Magistrate No.1, Mettur Dam, Salem District and the proceedings initiated by the respondent under Section 138 & 141 of N.I.Act.

For Petitioners: Mr.E.K.Kumaresan

ORDER

This petition has been filed to call for the records in S.T.C.No.126 of 2016 on the file of Judicial Magistrate No.1, Mettur Dam, Salem District and quash the same.

2. The various grounds raised by the learned counsel for the petitioner is all factual in nature and the same requires appreciation of evidence in the course of the trial and the said exercise cannot be done by this Court in exercise of its jurisdiction under Section 482 of Cr.P.C. It is left open to

the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law. This Court does not want to interfere with the proceedings at this stage.

3. This Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings in S.T.C.No.126 of 2016 on the file of Judicial Magistrate No.1, Mettur Dam, Salem District, within a period of three months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

rka

To

1. The Judicial Magistrate No.1,
Mettur Dam, Salem District.

+1 CC to Mr.E.K.Kumaresan, Advocate sr 68362.

Crl.O.P.No.21605 of 2019

and Crl.M.P.Nos.11189 & 11190 of 2019

PA (CO)

SP(14/09/2019)

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