

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.10435 of 2017

and

Crl.M.P.Nos.6890 & 6891 of 2017

1. M/s.Kalakaumudi Publications (P) Ltd.,
Rep. By 2nd Accused Mr.Sukumaran Mani,
Kalakaumudi Complex, Kumarapuram, Medical College Post,
Thiruvananthapuram-11.
2. Sukumara Mani,
Managing Director & Managing Editor,
M/s.Kalakaumudi Publications (P) Ltd.,
Kalakaumudi Complex, Kumarapuram, Medical College Post,
Thiruvananthapuram-11.
3. Kasthuri Mani, Director,
M/s.Kalakaumudi Publications (P) Ltd.,
Kalakaumudi Complex,
Kumarapuram, Medical College Post,
Thiruvananthapuram-11.
4. M.S.Mani, Director,
M/s.Kalakaumudi Publications (P) Ltd.,
Kalakaumudi Complex,
Kumarapuram, Medical College Post,
Thiruvananthapuram-11.

... Petitioners

सत्यमेव जयते
Vs.

M/s.Best Business Company,
No.24, Pollachi Road,
Udumalpet by its Proprietor,
S.Vivekanandan, aged 55.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.57 of 2014 on the file of the Judicial Magistrate No.I, at Udumalpet and quash the same.

For Petitioners: Mr.G.R.Lakshmanan

For Respondent : Mr.K.S.Kaviarasu

ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.57 of 2014, on the file of the Judicial Magistrate Court No.I, Udumalpet.

2.It is seen that at the time of admission, this Court by an order dated 21.06.2017, ordered the dispensation of the personal appearance of the petitioner Nos.2 to 4, on condition that the petitioner Nos.2 to 4 shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of C.C.No.57 of 2014 on the file of the Judicial Magistrate Court No.I, Udumalpet.

3.It is also seen that the entire proceedings initiated under Section 138 of the Negotiable Instruments Act, for the cheque issued by the petitioner Nos.2 to 4 for a sum of Rs.50,000/- (Rupees fifty thousand only). When the respondent presented the said cheque for collection and the same was dishonoured for the reason that "Payment Stopped by the Drawer". Now, the learned counsel for the respondent also submitted that as directed by this Court, the petitioner Nos.2 to 4 have deposited a sum of Rs.50,000/- (Rupees fifty thousand only) to the credit of C.C.No.57 of 2014 on the file of the Judicial Magistrate Court No.I, Udumalpet.

4.Considering the facts and circumstance, the entire proceedings against the petitioners in C.C.No.57 of 2014, on the file of the Judicial Magistrate Court No.I, Udumalpet stands quashed. Accordingly, this Criminal Original Petition is allowed. Therefore, the respondent is permitted to withdraw the amount deposited by the petitioner Nos.2 to 4 in the credit of C.C.No.57 of 2014, on the file of the Judicial Magistrate Court No.I, Udumalpet. The learned Judicial Magistrate No.I, Udumalpet is also directed to disburse the amount to the respondent forthwith. Consequently, the connected miscellaneous petitioners are closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vv2

To

1. The Judicial Magistrate Court No.I,
Udumalpet.

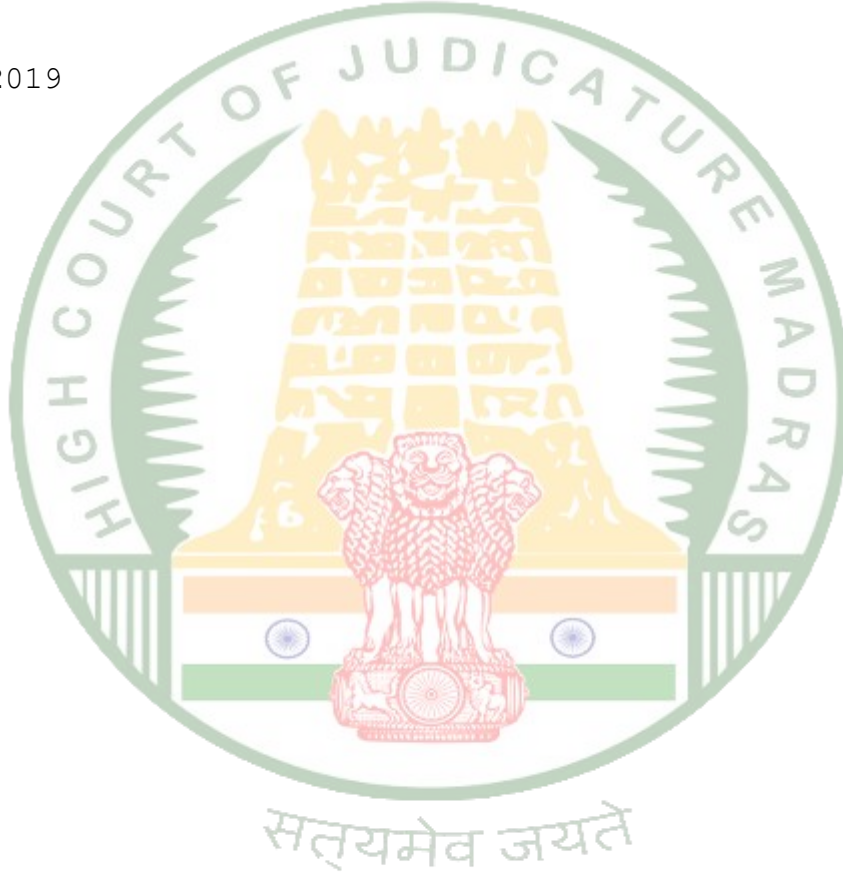
2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.S.Kaviarasu, Advocate, S.R.No.39270

+1cc to Mr.G.R.Lakshmanan, Advocate, S.R.No.39290

CRL.O.P.No.10435 of 2017

SSI (CO)
CS/04/06/2019



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