

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL MISCELLANEOUS PETITION No.5804 of 2017

in CRL.O.P.No.8057 of 2017

N.SRIDHAR

[PETITIONER]

Vs

V.SURESH BABU

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.O.P.No.8057 of 2017 on the file of the High Court, the High Court will be pleased to stay the Proceedings in C.C.No.35 of 2017 on the file of Judicial Magistrate at Alandur, Chennai pending disposal of CRL.O.P.No.8057 of 2017

Order : This petition coming on for orders upon perusing the petition and Memorandum of Grounds in CRL.O.P.No.8057 of 2017 on the file of the High Court and upon hearing the arguments of M/S.R.VIVEKANANTHAN, Advocate for the petitioner, and of MR.K.MANI Advocate on behalf of the Respondent, the court made the following order:-

This petition has been filed to stay the proceedings in C.C.No.35 of 2017 on the file of the learned Judicial Magistrate at Alandur, Chennai pending disposal of the Criminal Original Petition.

2. It is seen from the records that the petitioner is an accused in C.C.No.35 of 2015 on the file of the learned Judicial Magistrate at Alandur, Chennai, thereby taken cognizance for the offence under Section 138 of Negotiable Instruments Act. This Court by an order dated 21.04.2017 has granted interim stay in this petition.

3. The learned counsel appearing for the respondent submitted that the proceedings in C.C.No.35 of 2017 has already been commenced and P.W.1 was examined and documents were marked. At this stage, the petitioner suppressing the above said facts, filed this petition to quash the proceedings.

4. Considering the above facts and circumstances, the interim stay already granted by this Court on 21.04.2017, stands vacated. Pendency of this quash petition is not an impediment to the trial Court to proceed the trial further.

5. Post the matter for final disposal.

-sd/-
27/03/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
ALANDUR. CHENNAI

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

C.C. to M/S.R.VIVEKANANTHAN Advocate on payment of necessary charges

Order

in
CRL MP.5804/2017

in
CRL.O.P.8057/2017

Date :27/03/2019

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cm 03/04/2019