



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl OP(MD)No.6096 of 2016

and

Crl MP(MD)Nos.3001 & 3002 of 2016

M.Sathyanarayanan

... Petitioner / Accused

Vs.

M.Selvam

... Respondent / Complainant

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the proceedings in S.T.C No.22 of 2016 on the file of the Judicial Magistrate (Fast Track Court) Sivagangai District and quash the same.

For Petitioners : Mr.M.Sankar

For Respondent : Mr.R.Sundar Srinivasan

ORDER

Heard the learned counsel on either side.

2.The petitioner is facing trial in S.T.C No.22 of 2016 on the file of the Judicial Magistrate (Fast Track Court), Sivagangai District for the offence under Section 138 of the Negotiable Instruments Act. It was instituted by the respondent herein. To quash the same, this criminal original petition has been filed.

3.The learned counsel appearing for the petitioner reiterated the contentions set out in the memorandum of grounds. He would point out that the complaint cheque was returned for the reason "drawer's signature differs". He would point out that there was contractual arrangement between him and the respondent and that the respondent had forged his signature and presented the same for collection.

4.I am of the view that these are the grounds that will have to be established only in a regular trial. Leaving open all the contentions and defences, this criminal original petition stands dismissed. However, taking note of the facts and circumstances of the case, the personal appearance of the petitioner before the court



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below stands dispensed with. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

The Judicial Magistrate (Fast Track Court) Sivagangai District.

+1 CC to Mr.R.SUNDAR SRINIVASAN, Advocate (SR-105504[F] dated 18/12/2019)

+1 CC to Mr.M.SANKAR, Advocate (SR-105693[F] dated 18/12/2019)

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VB(20.01.2020) 2P 4C