



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.16399 of 2019

WEB COPY

Mohamed Ali

...Petitioner

Vs.

M.Meeran Mydeen

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Judicial Magistrate, Tenkasi to number the private complaint filed by the petitioner on 27.08.2019 in Sr No.5086 and proceed the same in accordance with law.

For Petitioner : Mr.D.Venkatesh

ORDER

This petition has been filed seeking direction to direct the Judicial Magistrate, Tenkasi to number the private complaint filed by the petitioner on 27.08.2019 in Sr No.5086 and proceed the same in accordance with law.

2. It is seen that petitioner lodged a complaint under Section 138 of the Negotiable Instrument Act, but the learned Magistrate has returned the same for the reason that the statutory notice has not been complied in accordance with the Negotiable Instrument Act. The learned counsel produced copy of the judgment of the Honourable Supreme Court of India, in which it held that there is no prescribed form of notice under Section 138 of the Negotiable Instrument Act.

3. Therefore the petitioner is directed to represent the complaint along with the judgment of the Honourable Supreme Court of India and on receipt of the same, the learned Magistrate is directed to peruse the same and pass orders on merits and in accordance with law.

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar (CS-II)



To

The Judicial Magistrate, Tenkasi

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+1 CC to M/s.D.VENKATESH, Advocate (SR-98109[F] dated 14/11/2019)

Crl.O.P. (MD) No.16399 of 2019
12.11.2019

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ES/SAR 2/15.11.2019/2P/3C