

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2020

CORAM:

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

Crl.OP.No.1068 of 2017
and Crl.MP.No.781 of 2017

N.Sekar

.. Petitioner/Accused

-vs-

P.Mani

.. Respondent/complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for the records on the file of the Judicial Magistrate No.II, Mettur and quash the proceedings in STC.No.730 of 2016.

For Petitioner : Mr.V.V.Sairam
For Respondent : No Appearance

ORDER

This petition has been filed to call for the records on the file of the Judicial Magistrate No.II, Mettur and quash the proceedings in STC.No.730 of 2016.

2.The only ground raised in this petition is that the cheque returned for the reason "drawee's signature differs". Therefore, the offence is not at all attracted under Section 138 Negotiable Instruments Act as against the petitioner. The only ground raised in this petition has to be proved before the trial Court by examining hand writing expert. Therefore, under Section 482 Cr.P.C., this Court cannot conduct a roving trial to verify the signature of the petitioner. Therefore, the Criminal Original Petition is dismissed.

3.Further, STC is of the year 2016. Considering the same, the trial Court is directed to complete the trial within a period of six months from the date of receipt of copy of this order. Consequently, the Criminal Miscellaneous Petition is closed.

-s/d-

Assistant Registrar(CS-)

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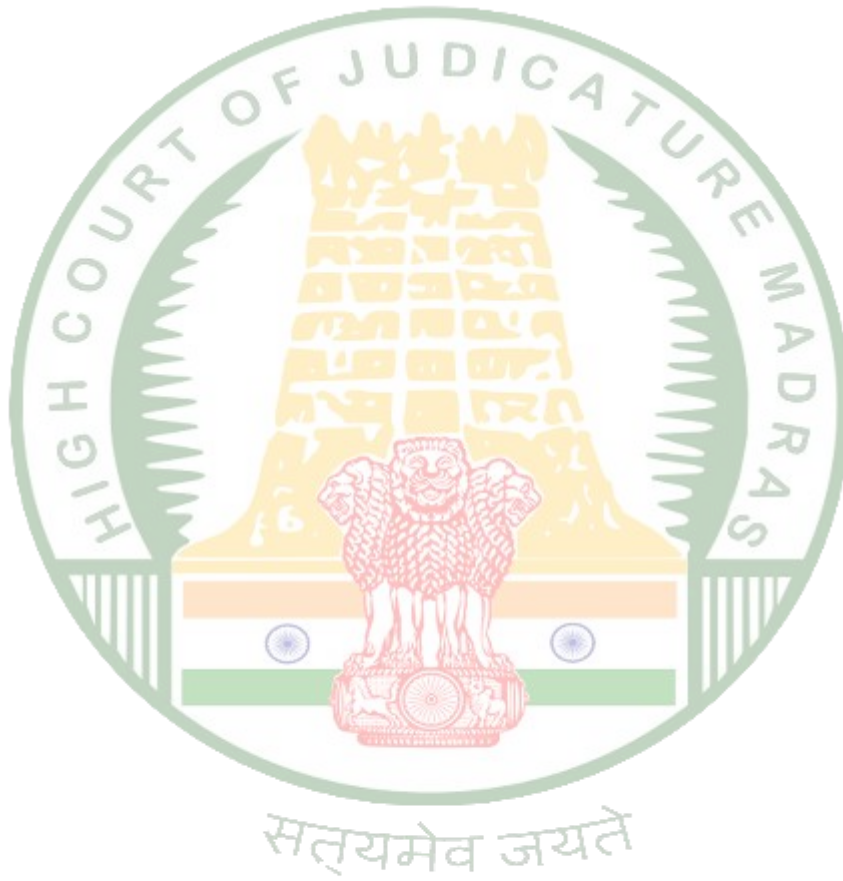
Sub-Assistant Registrar

To

The Judicial Magistrate No.II,
Mettur.

Pvs (co)
krd 18/8

CRL.O.P.No.1068 of 2017



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