

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.22816 of 2017

and

Crl.M.P.No.13306 of 2017

1. M/s S.V.Milk & Milk Products Pvt. Ltd.,
Rep by its Managing Director
Pemmasani Munisekhar Naidu.
2. Pemmasani Munisekhar Naidu
Managing Director
M/s S.V.Milk & Milk Products Pvt. Ltd.,
3. Parvathi Pemmasani
Director
M/s S.V.Milk & Milk Products Pvt. Ltd.,

Factory address at
No.1-3, Sri Kalahasthi Road
Pichatur (Mandal & Post)
Chittoor District 517 587
Andhra Pradesh State.

... Petitioners /Accused

Vs.

M/s Seven Hills Corporation
Rep by its Proprietor
Ashok Kothari
Presently office at
New No.29, Old No.13/2
8th West Cross Street
Shenoy Nagar, Chennai - 600 030.
Rep by its Power of Attorney Agent
M.K.Zola

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the complaint under Section 138 of the Negotiable Instruments Act, 1881 filed by the respondent against the petitioner in C.C.No.5369 of 2016 on the file of the Hon'ble Fast Track Court-III, Saidapet.

For petitioners: No Appearance

For Respondent : Mr.K.R.Ramesh Kumar

ORDER

This petition has been filed to quash the complaint under Section 138 of the Negotiable Instruments Act, 1881 filed by the respondent against the petitioner in C.C.No.5369 of 2016 on the file of the Hon'ble Fast Track Court-III, Saidapet.

2.The learned counsel appearing for the respondent would submit that the trial has already been commenced. Examination of Prosecution witnesses, questioning under Section 313 Cr.P.C., have also been over. Now the case stands posted for examination of Defence witnesses on 07.09.2020. Therefore, after commencement of trial, quash petition cannot be entertained.

3.Considering the facts and circumstances of the case, and also trial is commenced, this Court is not inclined to quash the C.C.No.5369 of 2016 on the file of the Fast Track Court - III, Saidapet. However, the trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I MDU)

//True Copy//

Sub Assistant Registrar

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To

1.The Judge,
Fast Track Court-III, Saidapet.

CrI.O.P.No.22816 of 2017
and CrI.M.P.No.13306 of 2017

PP(CO)
GN(07/08/2020)

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