



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2020

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

**Crl.O.P(MD)No.7689 of 2016
and
Crl.M.P.(MD)No.3954 of 2016**

Muneeshwaran

... Petitioner/Accused /Respondent

Vs.

Karthikeyan

... Respondent/Complainant/Petitioner

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records relating to the proceedings in C.C.No.94 of 2010 on the file of the learned Judicial Magistrate, Aranthangi and quash the same.

For Petitioner : Mr.M.Vivekanandan
For Respondent : Mr.A.Robinson,
Govt. Advocate (Crl Side)

O R D E R

The petitioner seeks quashing of the impugned complaint in C.C.No.94 of 2010 on the file of the learned Judicial Magistrate, Aranthangi. It was filed by the respondent herein for the offences under Section 138 of Negotiable Instruments Act.

2. The case of the petitioner is that the person referred into in the complaint is not himself. According to him, the respondent in the complaint is referred as Muneeshwaran S/o.Adaikalam. According to the petitioner's counsel the petitioner is Munisamy S/o.Aadaikalam. If that be so, it is for the petitioner to inform the Court below that he is not person concerned and that summons have been wrongly issued to him. In any event, these all factual aspects and therefore, the question of quashing the same does not arise.

3. I must also observe that in the grounds of quash petition this point has not been taken. Only in the additional typed set the materials such as Ration Card and Voter ID have been enclosed. Which referred to one Adaikalam Munisamy. Leaving open all the petitioners' contentions and defences, this criminal original



WEB COPY

CrI.O.P(MD)No.7689 of 2016

petition stands dismissed. Consequently, connected miscellaneous
petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ias

To

The Judicial Magistrate, Aranthangi.

+1 CC to Mr.M.VIVEKANANTHAN, Advocate (SR-8179[F] dated
25/02/2020)

CrI.O.P (MD)No.7689 of 2016
25.02.2020

VB(05.06.2020) 2P 3C