

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.4271 of 2021
and
Crl.M.P Nos.2728 & 2729 of 2021

B.Vidyardanya

...Petitioner/Accused No.1

Vs.

M.Suresh Babu

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records and quash the criminal proceeding in STC. No.109 of 2019 on the file of the learned Judicial Magistrate, FTC at Hosur as against the petitioner/accused No.1.

For Petitioner : Mr.J.Suresh

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of the Negotiable Instruments Act.

2. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in STC. No.109 of 2019 on the file of the learned Judicial Magistrate, FTC at Hosur, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

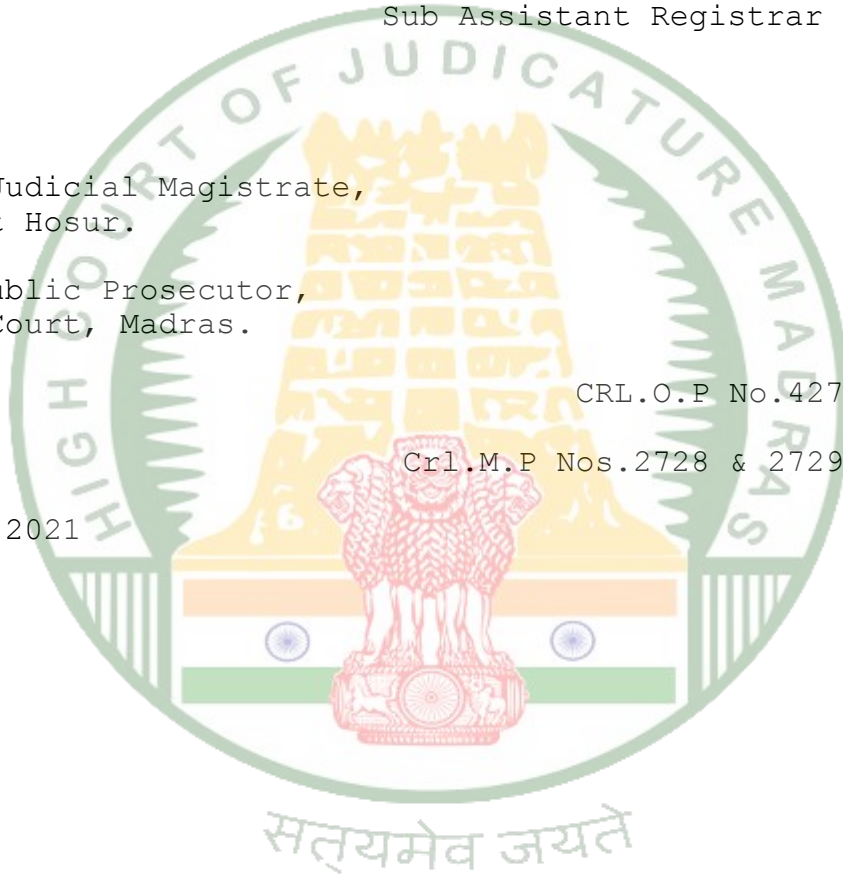
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To

1. The Judicial Magistrate,
FTC at Hosur.
2. The Public Prosecutor,
High Court, Madras.

SSN(CO)
CSR 30.03.2021

CRL.O.P No.4271 of 2021
and
Crl.M.P Nos.2728 & 2729 of 2021



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