



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.5185 OF 2018

AND

CRL.M.P.NOS.2567 AND 2568 OF 2018

S.Uma Maheshwari

... Petitioner

Vs.

M/s Golden Impex
represented by its
Power of Attorney Holder
K.P.K. Balasubramaniam
S/o K.P. Krishnan
Sri Devi Complex,
No.74, Eswaran Koil Street,
Tirupur.

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for the records pertaining to C.C.No.96 of 2017 on the file of the Fast Track Court at Magisterial Level, Tiruppur and quash the same.

For Petitioner : Mr.K.S.Karthik Raja

For Respondent : Mr.C.Ananda Ramanan
(No Appearance)

O R D E R

This petition has been filed seeking to call for the records relating to the case in C.No.96 of 2017 on the file of the Fast Track Court at Magisterial Level, Tiruppur and to quash the same.

2. The case of the prosecution is that the respondent/complainant is a Private Limited Company and the accused had business transactions with the complainant. In a business transaction the accused has to pay a sum of Rs.48,17,415/- and he issued two cheques. The details of the cheque is as follows:



7. On perusal of the records produced before this Court there is no records to show that the petitioner has involved day to day affairs of the Company and the Judgment produced by the learned counsel appearing for the petitioner squarely applies to the present case.

8. In view of the fact that the petitioner is only an investor, the proceedings in C.C.No.96 of 2017 on the file of the Fast Track Court at Magisterial Level, Tiruppur is hereby quashed with regard to the petitioner alone.

9. Accordingly, this Criminal Original petition is allowed and there shall be a direction to the Court below to complete the proceedings in C.C.No.96 of 2017 insofar as the other concerned, within a period of three months from the date of receipt of a copy of this order. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

smn/gln

To

1. The Fast Track Court, Magisterial Level,
Tiruppur.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

Crl.O.P.No.5185 of 2018
And
Crl.M.P.Nos.2567 and 2568 of 2018

SMI (CO)
CS/09/09/2021