

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.02.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.2598 of 2021
and
Crl.M.P No.1417 of 2021

Josephraj

...Petitioner

Vs.

Sundar

....Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records in C.C No.108 of 2018 pending on the file of learned District Munsif cum Judicial Magistrate, Neyveli and quash the same.

For Petitioner : G.V.Sridharan

For Respondent : No appearance

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of 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 C.C No.108 of 2018 pending on the file of learned

District Munsif cum Judicial Magistrate, Neyveli, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

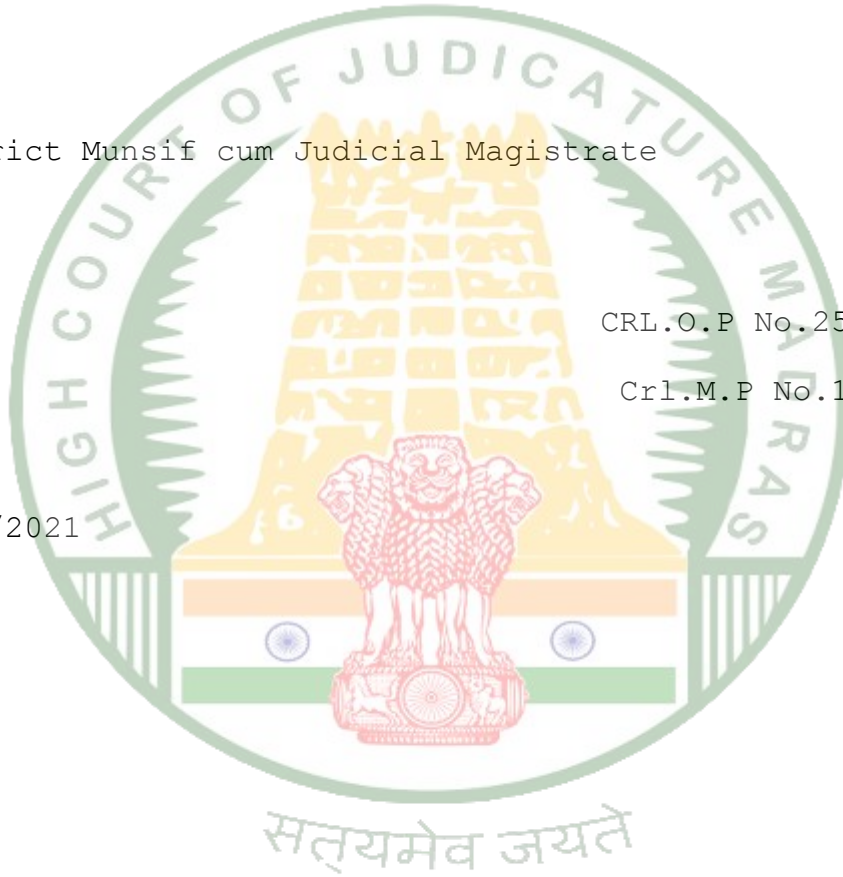
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To

The District Munsif cum Judicial Magistrate
Neyveli.

CRL.O.P No.2598 of 2021
and
CrI.M.P No.1417 of 2021

GPL[CO]
SRG 22/03/2021



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