



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.6734 of 2018
and CrI.M.P.Nos.3458 & 3459 of 2018

1. Kannammal National Matriculation Higher
Secondary School,
Rep by its Chairman Mr.S.Subramaniam
Tiruppur Road, Palladam-641 664.
 2. Mr.S.Subrammanian
Chairman/Managing Trustee,
Kannammal National Matriculation Higher
Secondary School, Tiruppur Road, Palladam.
 3. Ms.S.Aparajitha Krishna
Managing Trustee,
Kannammal National Matriculation Higher
Secondary School, Tiruppur Road, Palladam.
 4. Mrs.E.Manjuladevi
Principal/Authorized Signatory
Kannammal National Matriculation Higher
Secondary School, Tiruppur Road, Palladam.
 5. Mrs.C.Sangeetha
Head of Teachers/Authorized Signatory
Kannammal National Matriculation Higher
Secondary School, Tiruppur Road, Palladam.
- .. Petitioners/Accused 1 to 5

Vs.

M/s.Shree Angaalamman Hotel and
Catering Service,
Rep.by its Manager, Mr.John Peter,
Vilankurichi Road, Coimbatore 641 035.

.. Respondent/comoplainant

Prayer : This Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and to quash the complaint in C.C.No.1093 of 2017 on the file of the Judicial Magistrate No.II, FTC, Coimbatore.



For Petitioners : Mr.K.V.Babu
for Mr.K.R.B.Dharanee
For Respondent : Mr.Karthick Rajan

O R D E R

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

2. The grounds raised by the counsel for the petitioners 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 petitioners to raise all the grounds before the Court 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. The learned counsel for the petitioners requested this Court to dispense with the presence of the petitioners. Taking into consideration, the facts and circumstances of the case, the presence of the petitioners are dispensed with and they shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioners shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.

4. In the result, this Criminal Original Petition is disposed of and the Court below is directed to complete the proceedings in C.C.No.1093 of 2017 as expeditiously as possible. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar (CS-CO)

// True Copy //

Sub Assistant Registrar

Vv

To
The Judicial Magistrate, No.2, FTC, Coimbatore.

+1CC to Mr.K.R.B.Dharanee, Advocate, SR.No. 40512

Cr1.OP.No.6734 of 2018

GPL(CO)
B.VC (07/09/2021)