

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2021

CORAM

THE HON'BLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.3556, 3695 and 3698 of 2021

in

Crl.M.P. Nos.2088, 2208 and 2213 of 2021

A.Saravanan

... Petitioner in
all the Crl.O.P's.

Vs.

P.T.Maheshwaran

... Respondents in
all the Crl.O.P's

Common prayer :- Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in C.C.Nos.168 , 169 and 170 of 2019 on the file of the Fast Track Magistrate, Ambattur, and quash the complaint as against the petitioner.

In all the Crl.O.P's:

For Petitioner : Mr.N.R.Kaushik

For Respondent : Mr.Arun Anbumani for
M/s Arulselvam Associates

COMMON ORDER

These petitions have been filed challenging the proceedings initiated by the respondents 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 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 petitioner requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and he shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief.

The petitioner 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. Accordingly, these Criminal Original Petitions are dismissed and the Court below is directed to complete the proceedings in .C.Nos.168 , 169 and 170 of 2019 on the file of the Fast Track Magistrate, Ambattur, within a period of three months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are also closed.

18.03.2021

Index :Yes/No
Speaking order/Non-speaking order
rka

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CrI.O.P.Nos.3556, 3695 and 3698 of 2021

N.ANAND VENKATESH, J.,
rka



CrI.O.P.Nos.31009 of 2019 and 1261 & 2836 of 2021

18.03.2021

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