

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4833 of 2021

and

Crl.M.P.No.3078 of 2021

S.Mahesh

.. Petitioner

P.V.Ramanathan

.. Respondent

Vs.

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to call for the records and quash the private complaint in C.C.No.83 of 2017 on the file of the learned District Munsif cum Judicial Magistrate - I, Wallajapet.

For Petitioner

: Mr.K.N.Nataraj

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of Negotiable Instrument 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.83 of 2017 on the file of District Munsif cum Judicial Magistrate I, Wallajapet, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected

miscellaneous petition is closed.

12.03.2021

Index :Yes/No
Internet:Yes/No
rka
To

1. District Munsif cum Judicial Magistrate - I, Wallajapet.
2. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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