



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.18153 of 2021

&

Crl.M.P.No.9976 & 9979 of 2021

Baskar

... Petitioner

Versus

Vijayarangan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the proceedings of the complaint in C.C.No.2 of 2020 on the file of the Judicial Magistrate No.1, Chengalpattu, Chengalpattu District and quash the same against the respondent.

For Petitioner : Mr.B.Sridhar.

For Respondent : -

\*\*\*\*\*

ORDER

The petitioner, who is an accused in C.C.No. 2 of 2021, had filed this quash petition.

2. The contention of the petitioner is that the petitioner had repaid the entire amount of loan taken from the respondent. Most of the payments have been made through cheques, which is recorded. The respondent, who received the cheques at the time of the loan as security, had filled up the same and later filed a case, for which the liability has already been discharged. The petitioner further relied on his reply notice, in which, he has put forth his defence.

3. On perusal of the complaint, it is seen that the statutory notice, reply notice and rejoinder and also the reply and defence of the petitioner being denied and disputed. It is a



matter of fact, which has to be decided during trial.

4. In view of the same, this court is not inclined to allow the Criminal Original Petition and hence, this Criminal Original Petition is dismissed. However, considering that the petitioner is a business man and constantly appearing before the lower Court would adversely affect his business and he has also got health ailments, the lower Court to consider the dispensation of personal appearance of the petitioner, as and when the petitioner filed a petition under Section 317 or 205 of Cr.P.C., of course after obtaining necessary affidavit. The petitioner shall present himself before the Trial Court as and when required. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

mrp/mdl

To

1. The Judicial Magistrate No.1,  
Chengalpattu,  
Chengalpattu District .
2. The Public Prosecutor,  
High Court, Madras.

CRL.O.P.No.18153 of 2021

&

CrI.M.P.No.9976 & 9979 of 2021

KG(CO)  
CB(30/11/2021)