



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2021

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.3093 of 2017

&

Crl.M.P.Nos.2230 and 2231 of 2017

1. M/s M.P.Shan Tex Pvt., Ltd.,
rep. By its Managing Director and
Authorised Signatory, Mr.P.Uma Shankar
S.F.145/1A/A, Near Amman Koil
Parapalayam Post, Tiruppur - 641 607
2. P.Uma Shankar ... Petitioners/Accused

Versus

M/s Hi-Tech Air Power (P) Ltd.,
rep. By its Sale Manager, D.Mahendra Kumar
No.27, 2nd Floor, 2nd Main Road,
Thillai Nagar, Senthil Nagar,
Kolathur, Chennai ... Respondents/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in C.C.No.8420 of 2014 pending on the file of the learned Fast Track Court, Magistrate No.II, Egmore, Chennai and quash the same.

For Petitioners : Mr.K.S.Karthick Raja

For Respondent : Mr.R.Ganesh Kumar

O R D E R

The present Criminal Original Petition is filed to call for the records in C.C.No.8420 of 2014 pending on the file of the learned Fast Track Court, Magistrate No.II, Egmore, Chennai and quash the same.

2. Heard Mr.K.S.Karthick Raja, learned counsel for the petitioners and Mr.R.Ganeshkumar, learned counsel for the respondent.



3. The complaint in C.C.No.8420 of 2014 is sought to be quashed by the petitioner mainly on the ground that there is discrepancy in the legal notice with regard to the place of its owner and further, notice of demand has not been served on all the Directors of the Company.

4. Per contra, the learned counsel for the respondent submitted that the cross examination of the witnesses was over on 17.06.2017 itself and thereafter, this petition has been filed by the petitioner only in order to drag the proceedings.

5. Considering the submissions on either side, this Court is of the view that the trivial issues raised in this petition cannot be entertained for quashing the entire proceedings. Since trial is already over, as early as on 17.06.2017, this Court is of the view that it is for the petitioner to establish his defence before the trial Court.

6. In such view of the matter, I do not find any merit in this petition and the present Criminal Original Petition is dismissed. The learned Magistrate No.II (Fast Track Court), Egmore, Chennai shall dispose of the case, viz., C.C.No.8420 of 2014, within a period of three months from the date of receipt of a copy of this order. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Fast Track Court, Magistrate No.II,
Egmore, Chennai

2. -do through- The Chief Judicial Magistrate,
Chennai.

+1cc to Mr.R.Ganesh Kumar, Advocate, S.R.No.64549

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KSM[co]
NSK 22/12/2021