

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.1153 of 2017
and
Crl.M.P No.835 of 2017

K.Sakthivelmourougan,
S/o.Late Krishnan

.. Petitioner/Accused

vs.

J.Anand,
S/o.Jayaraj

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records on the file of the Judicial Magistrate No.II, Puducherry in S.T.C.No.2489 of 2015 and quash the same.

For Petitioner : Mr.P.Tamizhkumaran

For Respondent : Mr.V.Balammurugane
Additional Public Prosecutor
Puducherry.

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of the 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 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 disposed of with a direction to the Court below to complete the proceedings in S.T.C.No.2489 of 2015 pending on the file of the

learned Judicial Magistrate No.II, Puducherry, within a period of four months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rm

TO

The Judicial Magistrate II,
Puducherry.

Cr1.O.P No.1153 of 2017
and Cr1.M.P No.835 of 2017

SSN(CO)
GN(19/03/2021)