



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.29153 & 29165 of 2019
and
Crl.M.P.No.15686 & 15687, 15688 & 15689 of 2019
and
Crl.M.P.No.5375 of 2020

1. M/s Rickul India Pvt.Ltd.,
405, 4th Floor,
Agarwal Prestige Mall,
Pitampural Delhi 110 034.

2. Mr.Amrik Singh Bawa alias Ricky,
Director of M/s Rickul India Pvt.Ltd.,
.. Petitioners in both Crl.OPs.

Vs.

1. Mr.Sunil Kumar Sharoff
Partner of Sharoff Marketing

2. Ms.Seema Jain
Director of M/s Rickul India Pvt Ltd.,
.. Respondents in both Crl.OPs.

Prayer in Crl.O.P.No.29153 of 2019 : Petition filed under Section 482 of Cr.P.C., to call for the records and quash the complaint of the 1st respondent in C.C.No.1256 of 2019 on the file of FTC, IV Metropolitan Magistrate Court, George Town, Chennai.

Prayer in Crl.O.P.No.29165 of 2019 : Petition filed under Section 482 of Cr.P.C. to call for the records and quash the complaint of the 1st respondent in C.C.No.1003 of 2019 on the file of FTC, IV Metropolitan Magistrate Court, George Town, Chennai.

For Petitioners
in both petitions : Mr.Ashwin Premasundar



COMMON ORDER

The petitioners have filed this petition seeking to call for the records and quash the complaint of the 1st respondent in C.C.Nos.1256 and 1003 of 2019 on the file of FTC, IV Metropolitan Magistrate Court, George Town, Chennai.

2. The grounds raised by the counsel for the petitioners 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 Petitioners 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. It is now represented by the learned counsel appearing for the Petitioners that without going into the merits of the case, it would suffice, if this Court issues direction to the Trial Court to expedite the trial and complete the same as early as possible. He would further submit that the appearance of the Petitioners before the Trial Court may be dispensed with.

4. In view of the above, this Court directs the learned Fast Track Court, IV Metropolitan Magistrate Court, George Town, Chennai, to expedite the trial in C.C.Nos.1256 and 1003 of 2019 and complete the same, within a period of six months from the date of receipt of a copy of this order. The appearance of the Petitioners before the Trial Court is dispensed with. However, this order will not stand on the way of the Trial Court to insist for the appearance of the Petitioners for receiving copies under Section 207 of Cr.P.C., framing of charges, questioning under Section 313 of Cr.P.C. and judgment and as and when the Trial Court feels it necessary.

5. With the above directions, these criminal original petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



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To

FTC, IV Metropolitan Magistrate Court,
George Town, Chennai.

+2cc to Mr.A.Selvendran, Advocate Sr.34424, 34425

Crl.O.P.Nos.29153 & 29165 of 2019

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srg 09/08/2021