

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1941 of 2017
and
Crl.M.P Nos.1392 & 1393 of 2018

G.Sankar

...Petitioner

Vs.

S.Abusalih

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to call for the records and quashing the entire proceedings in STC 181 of 2016 on the file of the Judicial Magistrate No.II, Chidambaram.

For Petitioner : R.R.Gururaj

For Respondent : Mr.K.V.Sridharan

सत्यमेव जयते

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of 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 dismissed with a direction to the Court below to complete the proceedings in STC No.181 of 2016 on the file of the Judicial Magistrate No.II, Chidambaram, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions are closed.

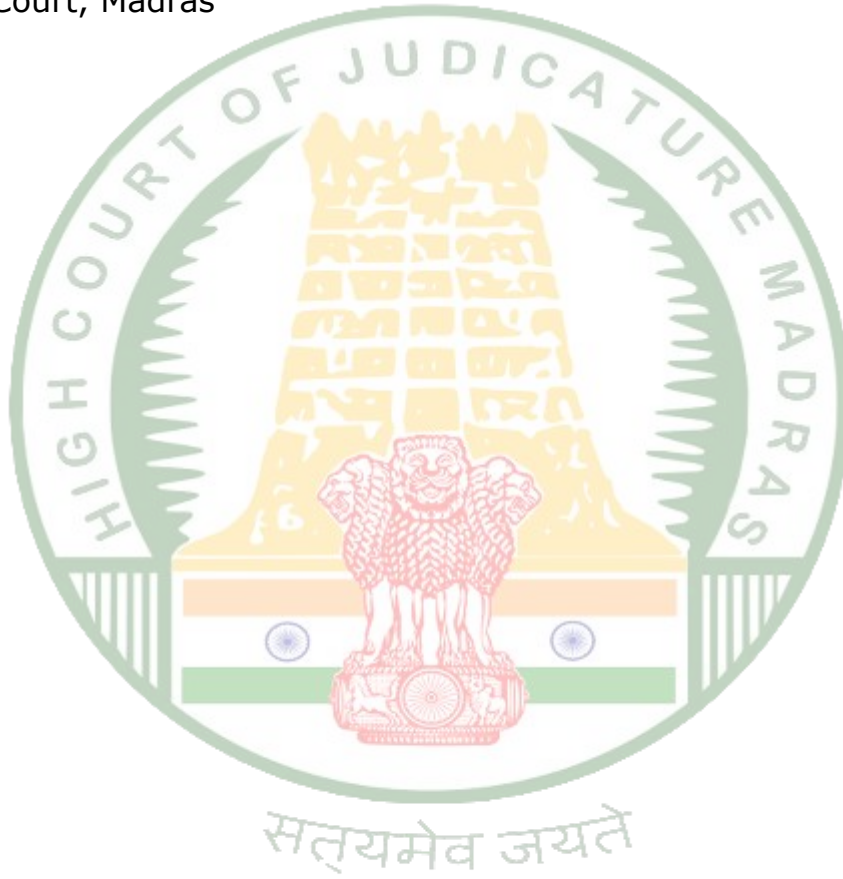
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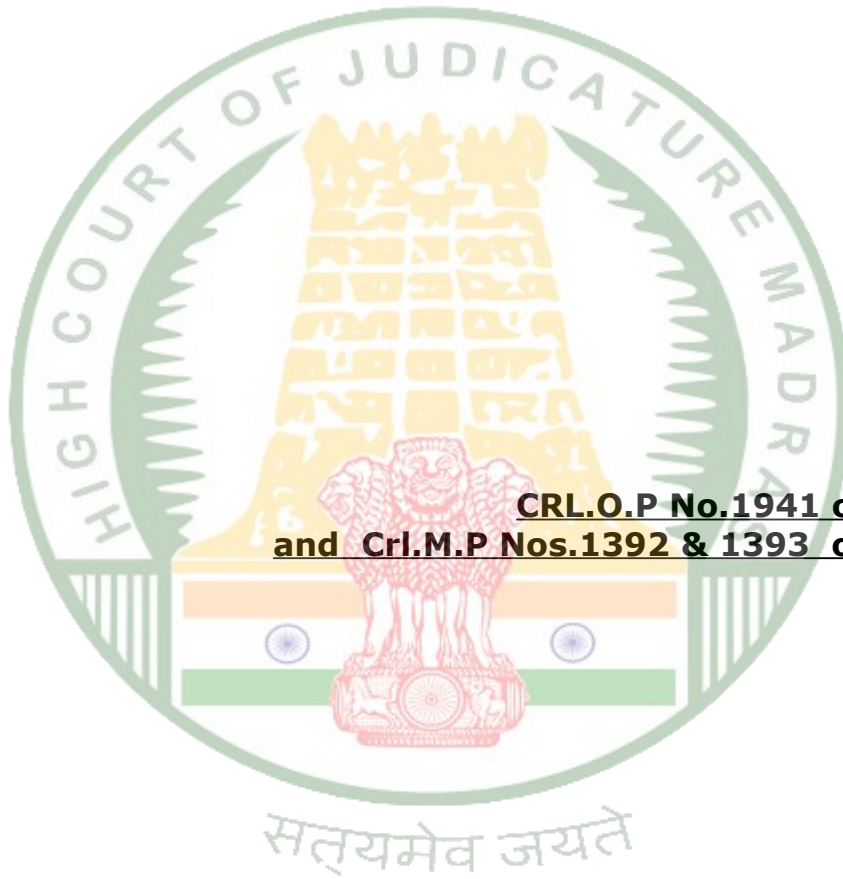
1. The Judicial Magistrate No.II,
Chidambaram
2. The Public Prosecutor,
High Court, Madras



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N.ANAND VENKATESH.J.,

SSR



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