



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD) No.13342 of 2021

and

Crl.M.P. (MD) Nos.6902 and 6904 of 2021

B.Thangaraj

... Petitioner/Sole Accused

Vs.

J.Subburaj

...Respondent/Petitioner

PRAYER: Criminal Original Petition is filed to call for the records in C.C.No.26 of 2021 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar District and quash the proceedings initiated against the petitioner herein.

For Petitioner : Mr.C.Suresh Kannan

ORDER

This petition is filed seeking quashment of C.C.No.26 of 2021 on the file of the learned Judicial Magistrate, Aruppukottai, Virudhunagar District.

2.When the matter is taken up for hearing, even though the learned counsel for the petitioner sought the relief of quashment of private complaint that has been registered under Section 138 of Negotiable Instruments Act, he has restricted his relief only with regard to dispensing the personal appearance of the petitioner before the trial Court on the ground that he is now residing in Chennai and is running Yogaine Foods and he undertook to arrange an advocate to appear before the concerned Court. He would further submit that the petitioner is also ready to appear before the concerned Court as and when required.

3.Considering the limited request that has been made by the learned counsel for the petitioner, the petitioner's personal appearance before the trial Court is dispensed with with the following conditions:

i) The petitioner shall appear before the trial Court within a period of 15 days from the date of receipt of a copy of this order, by giving an undertaking affidavit that he will appear before the trial Court as and when required by affixing attested photograph.

ii) He is also directed to engage an advocate to represent him before the concerned Court whenever the matter is heard.



4.With the aforesaid directions, this petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

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/ /2021

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate,
Aruppukottai,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-28888[F] dated 13/09/2021)

CrI.O.P. (MD) No.13342 of 2021

13.09.2021

RK (27.09.2021) 2P 4C