



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)Nos.17425, 17428 & 17430 of 2021

and

Crl.M.P.(MD)Nos.9478 to 9483 of 2021

K.S.Devadevan ... Petitioner/Accused in all Crl.O.Ps.

Vs

R.Shanthi ... Respondent/Complainant in all Crl.O.Ps.

COMMON PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in S.T.C.Nos.309, 310 & 311 of 2021 on the file of the Judicial Magistrate No.1 (FTC), Madurai and quash the same.

For Petitioner : Mr.K.P.S.Palanivel Rajan
(in all Crl.O.Ps.)

COMMON ORDER

These criminal original petitions have been filed for quashing the proceedings in S.T.C.Nos.309, 310 & 311 of 2021 on the file of the Judicial Magistrate No.1 (FTC), Madurai for the offence under Section 138 of the Negotiable Instrument Act. The respondent herein is the complainant.

2. The case of the petitioner is that he had settled the liability in full. But then, this is a matter that has to be established only in trial.

3. I will not be in a position to render a finding as to whether the petitioner has already liquidated the liability. Leaving open the petitioner's defences and contentions, these criminal original petitions are dismissed. However, taking note of the overall fact and circumstances, the personal appearance of the petitioner before the court below is dispensed with. He has to appear on three occasions namely at the time of questioning, during examination under Section 313 of Cr.P.C. and again at the time of pronouncing judgment. On all other occasions, the petitioner can appear through counsel. If the petitioner fails to appear through



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counsel, the benefit of this order will be withdrawn. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-)

// True Copy //

/ /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

The Judicial Magistrate No.1 (FTC), Madurai.

+1 CC to Mr.K.P.S.PALANIVELRAJAN, Advocate SR.No.8071

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PS (CO)

TR(30.11.2021) 2P 3C