



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1818 of 2022

and

CRL.M.P.Nos.736 & 739 of 2022

Mr.R.Rajeswar,
S/o.V.Ragothaman
Partner M/s.Le Royal Builders Private Limited
No.1, Royal Enclave, Flat No.D
2nd Floor, Nehru Street,
Arumbakkam, Chennai - 600 106
(Limits of Arumbakkam Police Station) ... Petitioner

Versus

1.Mr.S.Ramu

2.M/s.Le Royal Builders Private Limited
Represented by its Partners
Mr.P.B.Srikanth
Mr.R.Rajeswar
No.5/1, Jawahar Stret,
Near Panchaiamman Temple,
1st Floor, Arumbakkam, Chennai - 600 106
(Limits of Arumbakkam Police Station)

3.Mr.P.B.Srikanth ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, to call for the records in STC.No.746 of 2021 on the file of Fast Track Court (Magistrate Level) at Poonamallee and quash the same.

For Petitioner : Mr.S.Rajendran

O R D E R

This petition has been filed to call for the records in STC.No.746 of 2021 on the file of Fast Track Court (Magistrate Level) at Poonamallee and quash the same.



2. The petitioner is a partner in M/s.Le Royal Builders Private Limited. On the complaint of the first respondent/complainant under Section 138 of Negotiable Instruments Act, a case has been registered in STC.No.746 of 2021, wherein the petitioner has been arrayed as A2.

3. The contention of the petitioner is that he resigned from the first accused's company, which is a registered Company, as early as on 07.02.2019. Thereafter, a resolution to that effect was passed on 11.02.2019. The petitioner further stated that in the complaint, there is no specific averments against him and further, the date mentioned in the cheque is subsequent to the date of his resignation.

4. On a perusal of the typed set of papers it is seen that the petitioner had signed the cheque in dispute.

5. The learned counsel for the petitioner submits that the cheque which was earlier signed by the petitioner was kept by A3 and later misused. Thus, the petitioner has been falsely implicated.

6. This Court finds that the petitioner's signature is available in the cheque and some points were raised by the petitioner stating that he has been falsely implicated in this case, but the factual aspect would be decided only in trial.

7. In view of the same, this Court is not inclined to entertain this petition.

8. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR



dna
To

The Fast Track Court (Magistrate Level),
Poonamallee.

+1cc to Mr.S.Rajendran, Advocate Sr.5908

CRL.O.P.No.1818 of 2022
and
CRL.M.P.Nos.736 & 739 of 2022

pmk[col]
srg 21/02/2022