



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.3092 OF 2022

AND

CRL.M.P.NOS.1384 & 1387 OF 2022

S.Kumaravel

... Petitioner

.Vs.

G.Rajaraman,
S/o.Govindasamy Naidu,
No.80/15, Vth Street,
Police Line,
Panruti - 607 106.

... Respondent

PRAYER:-

This Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to call for the entire records in STC No.131 of 2014 pending on the file of Learned Judicial Magistrate No.1, Panruti and quash the same.

For Petitioner : Mr.M.Govindaraju

ORDER

This petition has been filed seeking to quash the proceedings in STC No.131 of 2014 pending on the file of Learned Judicial Magistrate No.1, Panruti.

2. Learned counsel for the petitioner would submit that the respondent has filed a private complaint in STC No.131 of 2014 on the file of the Learned Judicial Magistrate No.1, Panruti against the accused under Sections 138 and 142 of the Negotiable Instruments Act, 1881. He would further submit that in this case, statutory notice has not been served on the petitioner as per law, however, the respondent/complainant has filed a reply notice containing fabricated signature of the petitioner, which has been marked as Ex.P.4.



3. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

4. It is the contention of the petitioner that the alleged signature in Ex.P4 does not belong to him and it is a forged one. Therefore, he would seek to quash the proceedings.

5. This Court is of the opinion that if the petitioner denies the signature in Ex.P4, he has to prove the same in accordance with the procedures known under law by letting in evidence. Therefore, this Criminal Original Petition is not maintainable and the same is dismissed. However, liberty is granted to the petitioner to prove his case by letting in evidence in accordance with law during trial. Consequently, the connected Criminal Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rgm/mrn

To

1. The Judicial Magistrate No.1,
Panruti.
2. The Public Prosecutor,
High Court of Madras.

CRL.O.P.NO.3092 OF 2022 AND
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GPL(CO)
PBS/17/03/2022