



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL.O.P.NO.12528 OF 2018 &
CRL.M.P.NOS.6713 & 6714 OF 2018

G.Suresh

...Petitioner

Vs

K.Sarvalingam

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and quash the proceedings in C.C.No.2669 of 2017 on the file of the XX M.M. Egmore, Chennai.

For Petitioner : No appearance

For Respondent : Mr.R.Prasadh

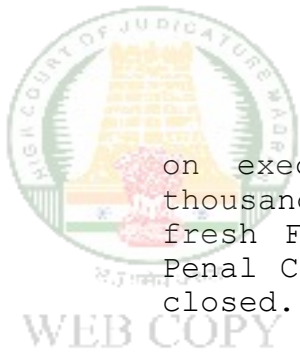
ORDER

This Criminal Original Petition has been filed to quash the proceedings in C.C.No.2669 of 2017 on the file of the XX M.M. Egmore, Chennai filed against the petitioner under Sections 138 of the Negotiable Instruments Act.

2. There is no representation for the petitioner.

3. The allegation in the petition for quash indicate that the petitioner has not availed any loan from the defacto complainant and the cheque in question is not supported by any consideration and blank cheque has been given by the parents of the petitioner at the time of subscribing the chit. All these allegations cannot be gone into at this stage and the same has to be decided by the trial Court at the time of trial. Hence, this Court is not inclined to quash the proceedings at this stage.

4. Accordingly, this Criminal Original Petition is dismissed. The accused is directed to appear before the trial Court within two weeks from the date of receipt of a copy of this order and file an application under Section 436 of Code of Criminal Procedure. On filing of such application, the trial Court is directed to release the accused on bail on the same day



on executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties. If thereafter, he absconds, a fresh FIR can be registered under Section 229 A of the Indian Penal Code. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-IV)

// True Copy //

Sub Assistant Registrar

vrc / kbs

To

The XX Metropolitan Magistrate,
Egmore, Chennai.

+1cc to Mr.R.Prasadh, Advocate Sr.No.4968

Crl.O.P.No.12528 of 2018

PL (CO)
RVM(11/02/2022)