



Crl.O.P.No.15371 of 2019
and
Crl.M.P.No.7568 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:12.10.2022

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.15371 of 2019
and
Crl.M.P.No.7568 of 2019

Mr.K.Sathishkumar

.. Petitioner

/versus/

Mr.G.Boobalan

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records in S.T.C.No.4 of 2019 pending on the file of District Munsif cum Judicial Magistrate at Uthukkottai and quash the above proceedings by allowing this petition.

For Petitioner :Mr.P.Kumaresan

For Respondent :Mr.G.Mohan for
Mr.S.Kumaresan

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ORDER

This Criminal Original Petition is filed to quash a private complaint initiated under Section 138 of the Negotiable Instruments Act, 1881.

2. On perusing the pleadings and the documents relied on by the petitioner/accused, this Court is of the view that the facts involved in this case are triable issues. Therefore, the petition under Section 482 of Cr.P.C cannot be entertained. Whatever grounds available with the petitioner shall be raised before the trial Court. The dismissal of the quash petition shall not be an impediment for the petitioner herein to agitate the defence pleaded in this quash petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

12.10.2022

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To:

The District Munsif cum Judicial Magistrate, Uthukkottai.

DR.G.JAYACHANDRAN,J.



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