



Crl.O.P.No.15655 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.10.2022

CORAM

THE HON'BLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P. No.15655 of 2019 and
Crl.M.P. Nos.7778 of 2019 and 1367 of 2020

1.M/s.Prime Industry, A Firm represented by its,
Managing Partner R.Padmabhan,
13 & 14, SIDCO Industrial Estate,
Vennaiimalai Post, Karur 639 006.

2.R.Padmanabhan,

3.P.Srinivasan,

4.S.Akshasri

.. Petitioners

[**This criminal original petition is dismissed insofar
as the first and second petitioners are concerned
as per the order dated 19.06.2019 in Crl.O.P.No.
15655 of 2019 and Crl.M.P. No.7778 of 2019]

-Vs.-

A.Chandrasekaran,
Rep by his Power Agent,
G.Ravi Kumar

.. Respondent

Criminal Original Petition filed under Section 482 of Code of
Criminal Procedure to call for the records and quash the prosecution in



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S.T.C.No.71 of 2019 on the file of the learned Judicial Magistrate Cum Fast Track Court No.II, Erode for an offence under Section 138 of the Negotiable Instruments Act, 1881.

For Petitioners : Mr.C.Arun Kumar

For Respondent : Mr.Subhang P.Nair

ORDER

This criminal original petition has been filed to quash the private complaint in STC No.71 of 2019 pending on the file of the learned Judicial Magistrate FTC II, Erode.

2. Several disputed facts have been raised as a ground to quash the private complaint. Since those disputed facts are to be tested in trial, this Court finds that the private complaint cannot be quashed for those reasons.

3. The learned counsel for the petitioners submitted that the parties are engaged in negotiation to settle the dispute amicably. In such event, it is always open to the parties to avail the advantage of Section 147 of the



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Negotiable Instruments Act. In order to facilitate the compromise, the Court below is directed to commence the trial after 60 days from today (31.10.2022), if the parties do not come forward to compound the offence.

4. In view of the above, this Criminal Original Petition is dismissed with liberty to the petitioners to raise all these grounds in the trial. Consequently, connected miscellaneous petitions are also closed.

31.10.2022

Speaking/Non-speaking order

Index: Yes/No

vga

To

1.The Judicial Magistrate Cum
Fast Track Court No.II,
Erode.

2.The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

vga

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