



*Crl.O.P.No.15580 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.15580 of 2019**  
**and Crl.M.P.Nos.7723 of 2019 and 1363 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,  
Managing Partner, M/s.Prime Industry,  
13 & 14, SIDCO Industrial Estate,  
Vennaiimalai Post, Karur 639 006.

3.P.Srinivasan,  
Partner, M/s.Prime Industry,  
13 & 14, SIDCO Industrial Estate,  
Vennaiimalai Post, Karur 639 006.

4.S.Akshasri,  
Partner, M/s.Prime Industry,  
13 & 14, SIDCO Industrial Estate,  
Vennaiimalai Post, Karur 639 006.

... Petitioners

[\*\*This criminal original petition is dismissed insofar as the first and second petitioners are concerned as per the order dated 18.06.2019 in Crl.M.P.No.7725 of 2019 in Crl.O.P.No.15580 of 2019]



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-Vs.-

A.Chandrasekaran,  
Managing Director, Maxwell Auto Components Pvt. Ltd,  
Having their Manufacturing Unit at SF No.397/2A, 398/2B,  
Jagammanikkenpalayam, Paduvampalli Village,  
Chenappachetti Pudur Post, Karumpathampatti (Via),  
Sulur Taluk, Coimbatore 641 659

Rep by his Power Agent,  
G.Ravi Kumar,  
S/o.Ganesan,  
2/6, Savadi Street East,  
Puthupalayam,  
NSN Palayam Post,  
Coimbatore District 641031.

.. Respondent

Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to call for the records and quash the prosecution in S.T.C.No.53 of 2019 on the file of the learned Judicial Magistrate Cum Fast Track Court No.II, Erode for an offence under Section 138 of Negotiable Instruments Act, 1881.

For Petitioners :Mr.C.Arun Kumar

For Respondent :Mr.Subhang P.Nair



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## **ORDER**

This criminal original petition has been filed to quash the private complaint in STC No.53 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 149 of the 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 does not come forward to compound the offence.



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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

Internet : Yes/No

nsa

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.,**

nsa

**Crl.O.P.No.15580 of 2019**  
**and Crl.M.P.Nos.7723 of 2019**  
**and 1363 of 2020**

31.10.2022