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CrI.O.P.No.25592 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CrI.O.P.No.25592 of 2019

and

CrI.M.P.Nos.13700 & 13701 of 2019

Jayachitra

... Petitioner

Vs.

Dhanabakkiyam

... Respondent

PRAYER: Criminal Original Petition had been filed under Section 482 of Cr.P.C, praying to call for the records leading to the initiation of S.T.C.No.1594 of 2019 pending on the file of the Judicial Magistrate No.1, Krishnagiri and quash the same.

For Petitioner : Mr.T.Panchatsaram

For Respondent : M/s.Aishwarya lakshmi

for Mr.K.Thiruvengadam.

ORDER

This Criminal Original Petition had been filed to call for the records leading to the initiation of S.T.C.No.1594 of 2019 pending on the file of the Judicial Magistrate No.I , Krishnagiri and quash the same.

2. When the case came up for hearing on 05.04.2022, this Court has



passed following order:-

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“When the case is taken up for hearing, learned Counsel for the Petitioner sought time to get further instruction from the learned Counsel appearing before the trial Court.

2. Learned Counsel appearing for the Respondent/De-facto Complainant submits that the case relates to a complaint filed under Section 138 of Negotiable Instruments Act for bounding of cheque amounting to Rs.78,00,000/- (Rupees Seventy Eight Lakhs). The appearance of the Accused/Petitioner herein was dispensed with by this Court. However, no interim stay was granted by this Court. Still, when the case is taken up for trial by the learned Judicial Magistrate, the learned Counsel for the Accused before the trial Court objects to the same stating that the Criminal Original Petition is pending. Therefore, the learned Judicial Magistrate is reluctant to proceed with the case. He further submits that the Petitioner had been successfully protracting the proceedings for the past several years.

3. Call the case on 18.04.2022. Learned Counsel for the Petitioner is directed to proceed with the arguments on 18.04.2022, failing which, this petition will be dismissed.

3. Even today, when the case is taken up for hearing, the learned Counsel for the Petitioner again sought time to get instructions.

4. In view of above, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous Petitions are closed.



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Index : Yes / No

Internet : Yes / No

Speaking Order/Non-Speaking Order
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SATHI KUMAR SUKUMARA KURUP., J.



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