



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.04.2022

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P.No.30036 of 2019

and

Crl.M.P.Nos.16233 & 16234 of 2019

1.M/s. Oren Hydrocarbons Pvt. Ltd.,
Rep. By its Director
Gajalakshmi Ranganathan

2.Gajalakshmi Ranganathan
Director, Oren Hydrocarban Pvt. Ltd.,

3.K.Kannan
Head of Accounts

...Petitioners

Vs.

M/s.SPAC Starch Products (India)
Ltd., Poonachi Village
Rep. By its Deputy Manager
V.Suresh Kumar

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code to call for the records in S.T.C.No.341 of 2019 pending on the file of the Fast Track learned Judicial Magistrate No.II, Erode and quash the same.

For Petitioners : No Appearance

For Respondent : Mr.B.Kumarasamy

O R D E R

This Criminal Original Petition had been filed to quash the case in S.T.C.No.341 of 2019 pending on the file of the learned Judicial Magistrate No.II, Erode.

2. In the earlier date of hearing i.e., on 03.01.2022 also there was no representation for the Petitioners, therefore, the then learned Single Judge of this Court had passed the orders, as follows:

"There is no representation for the petitioners for the past two hearings. List the case under the caption 'for dismissal' on 20.01.2022."



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"2. Interim order already granted by this Court on 18.12.2019 is not extended and stands vacated as no representation on the side of the petitioners. Respondent counsel present."

"3. Post this matter on 20.01.2022."

3. It is observed that interim stay already granted by this Court was vacated on the earlier date of hearing and the case was posted today.

4. Today, also when the case came up for hearing, there is no representation for the Petitioners. From the earlier adjudication proceedings, it is found that continuously they had not been present before this Court, the learned Single Judge had vacated the interim stay already granted by this Court.

5. At the time of admission of this Petition, Interim stay was granted. Based on the interim stay, the Accused had successfully delayed the trial of the case under Section 138 of Negotiable Instruments Act before the Court of the learned Judicial Magistrate, Fast Track Court - 2, Erode for more than three years. This is found nothing but an abuse of process of Court under Section 482 Cr.P.C., Hence, this Criminal Original Petition is dismissed with direction to the learned Judicial Magistrate, Fast Track Court- 2, Erode to proceed with the trial at the earliest and dispose of the case within three months from the date of receipt of a copy of this Order. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate,
Fast Track Court- 2, Erode.

+1cc to Mr.B.Kumarasamy, Advocate SR. No. 25187

CRL.O.P.No.30036 of 2019

GMR (CO)
PR (13/05/2022)