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Crl.O.P.No.30692 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.07.2022

CORAM:

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.30692 of 2019

and

Crl.M.P.Nos.16658 & 16659 of 2019

K.Sudha
W/o, Kanagaraj

... Petitioner

Vs.

R.Nagarajan
S/o, Ramachandran

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in C.C.No.188 of 2017 on the file of the Judicial Magistrate No.I, Udumalpet and quash the same.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : No appearance



Crl.O.P.No.30692 of 2019

ORDER

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2. Learned counsel for the petitioner states that the subject cheque was in fact given to the complainant, who is the husband of Mrs.Chitra, who is a practising Advocate at Udumalpet. Blank cheque was given to him by the petitioner/accused towards professional fees for the suit in which, the wife of the respondent was engaged to represent the petitioner. The said blank cheque been misused and filled up for a sum of Rs.3,75,000/-, though there is no transaction between the complainant, his wife Chithra and the petitioner and there is no legally enforceable debt. However, the defence taken by the petitioner has to be agitated before the trial court and this is not the case where the complaint can be quashed based on the averments made by the accused, who has not even raised a plea by way of reply, when he received the statutory notice.



Crl.O.P.No.30692 of 2019

3. Without advertng further on the facts and merits of the case, this

Criminal Original Petition is dismissed. The Trial Court is directed to dispose the case in C.C.No.188 of 2017 as expeditiously as possible, preferably within a period of six months. Consequently, connected miscellaneous petitions are closed.

13.07.2022

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Index:yes/No

Internet:yes/No

To

The Judicial Magistrate No.I,
Udumalpet.

3/4



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Crl.O.P.No.30692 of 2019

Dr.G.JAYACHANDRAN,J.

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13.07.2022