



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.29893 & 29901 of 2018

and

Crl.M.P.Nos.17575, 17576, 17577 & 17578 of 2018

V.Latha

...Petitioner in
Crl.O.P.No.29893 of 2018

V.Sheela Devi

...Petitioner in
Crl.O.P.No.29901 of 2018

Vs.

K.Kumararaju

...Respondent in both
Crl.O.Ps.

Prayer : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code to call for the records and quash the proceedings in S.T.C.Nos.350 & 349 of 2018 on the file of the Fast Track Court, Magistrate Level-2, Poonamallee, Chennai.

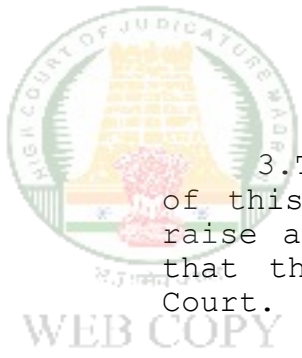
For Petitioner in : Mr.V.Manikandan
both Crl.O.Ps.

Respondent in : No appearance
both Crl.O.Ps.

COMMON ORDER

These criminal original petitions are filed to call for the records and quash the proceedings in S.T.C.Nos.350 & 349 of 2018 on the file of the Fast Track Court, Magistrate Level-2, Poonamallee, Chennai, respectively.

2.The petitioners, who are accused in private complaints filed under Sections 138 of NI Act by the respondent are pending trial in S.T.C.Nos.350 & 349 of 218, are ladies and they will be falsely implicated in this case. The issuance of cheques themselves are questioned by the petitioners.



3.The learned counsel for the petitioners seeks permission of this Court to withdraw these petitions and that they shall raise all the points during the trial and their only prayer is that this Court may exempt their appearance before the trial Court.

4.Considering that the petitioners are ladies and further, this being 138 NI Act, this Court is inclined to dispense with the personal appearance of the petitioners on the following conditions:

(i).the petitioners to file affidavit before the trial Court with appropriate undertaking that they will not dispute their identity, recording of evidence in their absence and they will not be the reason for any delay.

(ii).They would be represented by their counsel and they will undertake to cross examine the witness then and there without seeking any adjournment.

(iii). they shall appear before the trial Court as and when directed by the trial Court and

(iv).In the event of any violation of undertaking, the dispense with of personal appearance shall stand cancelled.

Accordingly, this Criminal Original petitions are dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sms
To

The Fast Track Court,
Magistrate Level-2,
Poonamallee, Chennai.

+2ccs to Mr.V.Manikandan, Advocate, S.R.No.16124

CRL.O.P.Nos.29893 & 29901 of 2018
and
Crl.M.P.Nos.17575, 17576, 17577 & 17578 of 2018

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