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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.1510 of 2023
and CrI.MP.No.846 of 2023

Manimurugan, A-51 ye
Proprietor, M/s.TNSS Trailer Service
No.4/124-B, Abi Building,
Near Pannagar, Salem Road
Acharappan Street
Namakkal-637 001.

Petitioner

.vs.

M/s.Carrying Corporation of India Pvt.Ltd.,
Rep. Herein by its Partner, Suresh Attari
Old No.53, New No.105
Thambu Chetty Street
Chennai 600 001.

.. Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to CC.No.1278 of 2020 dated 7.10.2019 on the file o f the learned II Metropolitan Magistrate Fast Track Court, Egmore, Allikulam, Chennai and quash the same.



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For Petitioner : Mr.R.C.Manoharan

For Respondent : Mr.Richardson Wilson

ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of the Negotiable Instruments Act, 1888.

2. The grounds raised by the counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. It is left open to the petitioner to raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3. Accordingly, this Criminal Original Petition is dismissed with a direction to the Court below to complete the proceedings in CC.No.1278 of 2020 dated 7.10.2019 on the file of the learned II Metropolitan Magistrate Fast Track Court, Egmore, Allikulam, Chennai, within a period of three months



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from the date of receipt of a copy of this order. Consequently, the connected
miscellaneous petition is closed.

21.08.2023

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
kp

To
II Metropolitan Magistrate Fast Track Court,
Egmore, Allikulam, Chennai.



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N. ANAND VENKATESH., J.
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Crl.O.P No.1510 of 2023

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