



Crl.O.P.No.10484 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.10484 of 2021 and
Crl.M.P.Nos.6303 & 6304 of 2021

1.M/s.Megma Stone,
Rep. by its Managing Partner
Mr.M.Ravi Shankar,
No.#105, 2nd Floor, 17th Cross Street,
1st Block, Rajajinagar, Bengaluru,
Karnataka – 560 010.

2.Mr.M.Ravi Shankar,
Managing Partner of M/s.Megma Stone,
No.#105, 2nd Floor, 17th Cross Street,
1st Block, Rajajinagar, Bengaluru,
Karnataka – 560 010.

... Petitioners / Accused 1 & 2

/vs/

M/s.PVR Enterprises,
Rep. by its Power Agent
Mr.Mohammed Isahak Sait,
No.1117, Flat B, Lakshmi Apartment,
Anna Nagar West End Colony,
Mugappair,
Chennai 600 050.

... Respondent / Complainant

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C., to call for the records and quash all the proceedings in C.C.No.1324



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of 2020 on the file of the learned XIX Metropolitan Magistrate, Egmore.

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For Petitioners	...	Mr.P.Vajravelu
For Respondent	...	G.Saravanan

ORDER

This Criminal Original Petition has been filed to call for the records and quash all the proceedings in C.C.No.1324 of 2020 on the file of the learned XIX Metropolitan Magistrate, Egmore.

2. Heard the learned counsels for the petitioners and the respondent.

3. The petitioners are the accused 1 & 2. The respondent is the complainant who had filed a complaint against the petitioners for committing an offence under Section 138 of the Negotiable Instruments Act. During the pendency of the proceedings before the Trial Court, the petitioners have filed this petition by stating that the power of attorney alleged to have been executed by the complainant in favour of Mohammed Isahak Sait is not a valid one and hence the complainant cannot be a authorized person to file the complaint and represent the respondent.

4. When the matter was taken up for hearing today, the learned



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counsel for the respondent submitted that the Principal who had given the power to Mohammed Isahak Sait himself has made his appearance before the Lower Court for filing a memo and the Principal himself was substituted in the cause title as a complainant.

5. Since the one and only ground that was raised by the petitioners has become infructuous due to the subsequent development and the matter stands posted for further evidence, I feel the petitioners have to raise their defence before the Trial Court.

6. In view of the above stated reasons, this Criminal Original Petition is disposed and the petitioners are directed to raise the points now made as their defence before the Trial Court. Consequently, connected miscellaneous petitions are closed.

30.01.2023

Index: Yes/No
Internet: Yes/No
gsk



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R.N.MANJULA ,J.

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To

1.XIX Metropolitan Magistrate, Egmore.

2.The Public Prosecutor,
High Court, Madras.

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Crl.M.P.Nos.6303 & 6304 of 2021

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