



Criminal Original Petition No.16357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.16357 of 2023

M/s.Ani Exports
Represented by Managing Partner
P.Govindaraju
Having office at No.28/2A, Pondy Venkateshwara Rice Mill Campus
Puducherry Cuddalore Main Road,
Tollgate, Noonankuppam Village,
Manaveli Ariyankuppam
Puducherry - 605 007.

...Petitioner

Vs

M/s.Cathcy Foods Private Limited (CFPL)
Represented by its director K.Madhan Kumar
Having office at No.J-41, Shriram Sadana Apartments
MSR Road Gokula Mathikere
Bangalore - 560 054.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to set aside the order passed in Crl.R.P.No.18/2021 dated 22.09.2022 by the learned II Additional Sessions Judge, Puducherry, confirming the order passed in Cr.M.P.No.3397/2021 dated 23.09.2021 by the learned Judicial Magistrate III, Puducherry.

For Petitioner : Mr.E.Thiyaga



ORDER

This Criminal Original Petition has been filed challenging the order passed by learned II Additional Sessions Judge, Puducherry, in CrI.R.P.No.18/2021 dated 22.09.2022 confirming the order passed by learned Judicial Magistrate III, Puducherry, in CrI.M.P.No.3397 of 2021 dated 23.09.2021, dismissing the application filed u/s.156(3) Cr.P.C.

2. Heard Mr.E.Thiyaga, learned counsel for petitioner and carefully perused the materials available on record.

3. Both the Courts below, on considering the allegations made in the petition and the materials available, came to the conclusion that the entire transaction was civil in nature and accordingly, the application filed u/s.156(3) Cr.P.C. was dismissed. The finding rendered by the Courts below does not suffer from any illegality or infirmity and it does not require the interference of this Court. The petitioner has to either work out their remedy by filing a complaint u/s.200 Cr.P.C. or they have to approach the civil Court and seek for appropriate relief.



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In view of the above, this Criminal Original Petition is dismissed.

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21.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

- 1.The II Additional Sessions Judge,
Puducherry.
- 2.The Judicial Magistrate III,
Puducherry.



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N.ANAND VENKATESH, J

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