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CrI.O.P.No.14992 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.14992 of 2023

and

CrI.M.P.Nos.9312 and 9313 of 2023

R.Sumanth Krishna
Director,
M/s.Gazy Mag Private Limited,
No.111, 5th Floor, NPL Devi, LB Road,
Thiruvanmiyur, Chennai 600 041.

...Petitioners

vs.

AR.Subbiah,
Rep by his Power of Attorney,
AR.Arunachalam.

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the record in C.C.No.74 of 2023 pending on the file of the Judicial Magistrate, Fast Track Court at Alandur and quash the complaint and all further proceedings pending before the Court.

For Petitioners : Mr.G.Murugendran (change of vakalat)
For Respondents : Mr.K.P.Anantha Krishnan



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ORDER

This criminal original petition was filed to quash the proceedings in C.C.No.74 of 2023 pending on the file of the learned Judicial Magistrate, Fast Track Court, Alandur.

2. When this matter came up for admission on 04.07.2023, this Court had passed the following order:

“Notice to the respondent returnable by 12.07.2023. Private notice is also permitted. The learned counsel for the petitioner is also permitted to serve notice on the counsel appearing on behalf of the respondent before the Court below.

2. The learned Senior counsel appearing on behalf of the petitioner apart from raising legal grounds, fairly submitted that the petitioner is willing to settle the entire cheque amount of Rs.1,49,89,670/- and to substantiate the same, the copy of the demand drafts that have been taken in the name of the respondent dated 12.06.2023 have also been filed in the typed set of papers.

3. In view of the above, post this petition under the caption for “Recording compromise” on 12.07.2023 at 2.15.p.m.

4. There shall be an order of interim stay of proceedings



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in C.C.No.74 of 2023, pending disposal of the Criminal Original petition. The personal appearance of the petitioner is dispensed with, pending disposal of the Criminal Original Petition.”

3. The matter was once again taken up for hearing on 19.07.2023 and this Court had passed the following order:

“Pursuant to the earlier order passed by this Court, the respondent is present in person along with the counsel. The learned Senior counsel appearing on behalf of the petitioner handed over the cheque amount of a sum of Rs.1,41,89,670/- today. The learned Senior counsel further submitted that a further amount of Rs.2,00,000/- will be handed over within a week.

2. Post this Criminal Original Petition under the caption “For Reporting Compromise” on 26.07.2023 at 2.15 P.M.”

4. When the matter was taken up for hearing today, the learned counsel for the petitioner handed over a demand draft for a sum of Rs.2,00,000/- drawn in the name of the respondent/complainant. In view of the same, this matter has been amicably settled between the parties and the entire amount has been settled to the respondent/complainant.



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5. In the light of the above development, this Court exercises its jurisdiction under Section 147 of the Negotiable Instruments Act, 1881 and the offences punishable under the said Act is compounded.

6. This criminal original petition is disposed of in the above terms. Consequently, the connected miscellaneous petitions are also closed.

02.08.2023

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

To

The Judicial Magistrate, Fast Track Court, Alandur



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N. ANAND VENKATESH, J.

nsa

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and CrI.M.P.Nos.9312 and 9313 of 2023

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