



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.17777 of 2023
and CrI.M.P.Nos.11678 & 11679 of 2023

1.M/s.Lomash Slurry Tech Pvt. Ltd.
represented by Directors/Authorised Signatories,
Anirudh Lal & Rohit Singh
B-7. First Floor, Back Portion,
Sector 07, Gautam Buddha Nagar,
Noida, Uttar Pradesh – 201 301.

2.Anirudh Lal

3.Rohit Singh

.. Petitioners

Vs.

M/s.IWL India Limited,
W60, North Main Road,
Anna Nagar, West Extension,
Chennai – 600 101.
Rep. by Mr.N.Ravi Kumar
Assistant Accounts Manager

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in STC No.2125 of 2022 on the file of the XXV Metropolitan Magistrate, Egmore and quash the same.

For Petitioners

: Mr.K.M.Kalicharan



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ORDER

This petition has been filed challenging the proceedings initiated by the respondents against the petitioners under Section 138 & 142 of Negotiable Instruments Act.

2. The grounds raised by the counsel for the petitioners 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 petitioners to raise all the grounds before the Court 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. The learned counsel for the petitioners requested this Court to dispense with the presence of the petitioner. Taking into consideration, the facts and circumstances of the case, the presence of the petitioner is dispensed with and they shall be represented by a counsel, who shall cross examine the witnesses on the same day, they are examined in Chief. The petitioners shall be present before the Court below at the time of questioning under Section 313 Cr.P.C and at the time of passing of the final judgement.



4. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in S.T.C.No.2125 of 2022, within a period of four months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are also closed.

09.08.2023

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

ssr

To

1.The XXV Metropolitan Magistrate, Egmore.

2.The Public Prosecutor
High Court of Madras, Madras.



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N.ANAND VENKATESH, J

SSR

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