



WEB COPY



1 of 5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.17984, 17993 and 17999 of 2023

and

Crl.MP Nos.11898, 11899 11900, 11901, 11903 and 11905 of 2023

R.Manivel, M/A-36 Y
S/o.Ramamoorthi
proprietor of Ambika Traders
Trichy Main Road
Ariyalur Taluk and District.

.. Petitioner /Accused
in All WPs

.Vs.

Eshwaramoorthi, Proprietor
Sri Mahasakthi Modern Rice Mill
S/o.Palanisamy
No.14/32, Kamatchi Valasu
Pachaipalayam Post,Kangeyam Taluk
Tiruppur District.

.. Respondent/Complainant
in Crl.O.P Nos.17984 & 17999 of 2023

Balasubramaniyan
Proprietor of Amirthalaya Modern Rce Mill
S/o.Duraisamy
No.14/25, Kamatchi Valasu
Meyyur Village
Kangeyam Taluk,Tiruppur District.

.. Respondent/Complainant
in Crl.O.P No.17993 of 2023

COMMON PRAYER: Criminal Original Petition filed under Section 482 of the
Code of Criminal Procedure, to call for the records relating to the STC

<https://www.mhcoj.gov.in/jis> Nos.812, 813 and 814 of 2022, on the file of Judicial Magistrate Court,



WEB COPY



2 of 5

Kangeyam and to quash the same.

For Petitioner : Mr.C.Prabakaran
(All Wps)

COMMON ORDER

These criminal original petitions have been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of Negotiable Instruments Act.

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 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 petitioner 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 he shall be represented by a counsel, who shall cross



examine the witnesses on the same day, they are examined in Chief. The petitioner 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, these Criminal Original Petitions are dismissed and the Court below is directed to complete the proceedings in STC Nos.812, 813 and 814 of 2022, on the file of Judicial Magistrate Court, Kangeyam, within a period of six months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are also closed.

14.08.2023

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

To

1.Judicial Magistrate Court
Kangeyam.

2.Public Prosecutor
High Court of Madras.



WEB COPY



4 of 5

N. ANAND VENKATESH,. J.
KP

Crl.O.P Nos.17984, 17993 and 17999 of 2023



WEB COPY



5 of 5

14.08.2023