



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.21827 of 2023
and Crl. M.P. Nos.15103 & 15104 of 2023

Mr.M.R.Jagadeesh

... Petitioner

-VS-

Mr.S.Sathish Babu

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records in C.C. No.820 of 2022 pending on the file of the Judicial Magistrate at Tambaram, quash the same.

For Petitioner : Mr.K.Natarajan
For Respondents : Mr.K.Suresh Babu

ORDER

The petition is filed to quash the complaint instituted under Section 138 of the Negotiable Instruments Act, 1881.

2. The learned counsel appearing for the petitioner referring the order passed by the Karnataka High Court at Bangaluru in bail petition bearing Crl.Petition No.4621 of 2019, in respect of allegation of forged Power of Attorney documents, submitted that the Karnataka High Court has already held



Dr.G.JAYACHANDRAN, J.

that blank cheques were obtained by the complainant herein and therefore, the complaint is liable to be quashed.

3. However, on reading the order of the Karnataka High Court at Bangaluru, this Court does not find any reference of cheque No.977767 drawn on Axis bank Bangalore dated 09.10.2019 for a sum of Rs.10,00,000/- which is the subject matter of the criminal complaint pending on the file of the learned Judicial Magistrate, Tambaram and taken up for trial in S.T.C. No.1295 of 2022. Therefore the prayer to quash the private complaint does not fall within the parameters and guidelines laid by the Hon'ble Supreme Court. Hence this petition is dismissed. Consequently, connected Miscellaneous Petitions are also dismissed.

03.11.2023

Internet : Yes/No

Index : Yes/No

rkp

To

1. The Judicial Magistrate at Tambaram.

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

Crl.O.P.No.21827 of 2023
and Crl. M.P. Nos.15103 & 15104 of 2023