



Crl.O.P.No.22409 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN,

Crl.O.P.No.22409 of 2023

and

Crl.M.P.No.15572 of 2023

1. M/s. Milltex Engineers Private Limited,
rep. By its Managing Director Mr.S.Manikandan
Door No.8/49, Sundaresa Layout, Trichy Road,
Coimbatore – 641 018
 2. S. Manikandan,
Managing Director of M/s. Milltex Engineers Private Ltd.,
Door No.8/49, Sundaresa Layout, Trichy Road,
Coimbatore – 641 018.
 3. Supriya Paul,
Director of M/s. Milltex Engineers Private Ltd.,
Door No.8/49, Sundaresa Layout, Trichy Road,
Coimbatore – 641 018.
 4. Subrata Paul
Director of M/s. Milltex Engineers Private Ltd.,
Door No.8/49, Sundaresa Layout, Trichy Road,
Coimbatore – 641 018.
- ... Petitioners

/vs/

M. Thangaraj
S/o. M. Mayalazhan
Door No.1/10, Ponnandampalayam,
Kanniyurpost, Coimbatore – 641 659

... Respondent



Prayer : Criminal Original Petition has been filed under section 482 of Cr.P.C. to quash the private complaint in STC No.279 of 2023 pending on the file of the Judicial Magistrate, Sulur.

For petitioner ... Mr. K. Karthikeyan

ORDER

This Criminal Original Petition has been filed to quash the proceedings in STC.No.279 of 2023 on the file of the Judicial Magistrate, Sulur.

2. The case of the complainant under Section 138 of the Negotiable Instruments Act is that the petitioners herein, who are employees in Milltex Engineers Private Limited are arrayed as accused in the private complaint, are before this Court to quash the petition.

3. It is contended by the petitioners that the respondent/ complainant was an ex-employee in Milltex Engineers Private Limited. The terminal benefits of Rs.58,250/- was issued by way of cheque by the Management, however, it was not honoured when presented for collection. After serving the statutory notice, which was returned unserved, private complaint has been lodged. Only after receiving summons from the Court, they came to know



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about the dishonour of cheque. Immediately, Demand Draft of Rs.58250/- along with the memo was presented before the Judicial Magistrate and the same has been returned by the Magistrate Court Registrar. Therefore, Rs.58250/- is transferred to the account of the complainant through NEFT .

4. This Court is of the view that the above said circumstances since the accused have come forward to pay the cheque amount even before commencement of trial, it is a fit case for compounding the offence. The petitioners shall file the compound petition narrating the payment of the cheque amount through NEFT and seek for compounding the offence. After hearing the complainant, the Trial Court is directed to pass appropriate order on the compound petition.

5. With the above directions, this Criminal Original Petition is closed.
Consequently, connected miscellaneous petition is closed.

Index : Yes/No

Internet: Yes/No

mrp

To

The Judicial Magistrate,

Sulur

04.10.2023



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G.JAYACHANDRAN, J.

mrp

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