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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19558 of 2023
and Crl.M.P.Nos.13214 & 13215 of 2023

M.Veerassamy, M/A-58 Y
S/o.G.Rangaraju

.. Petitioner

Vs.

M/s.Daimler Financial Services
India Pvt.Ltd., rep.by its
Authorised Rep.Mr.Sadam Hussain
Having Office at
RMZ Millenia Business Park
Campus 3B, Unit 20243
Dr.MGR Road, Perungudi
Chennai 600 096.

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in STC No.7244 of 2022, on the file of the Metropolitan Magistrate Court, Fast Track Court No.I, Egmore, Chennai and to quash the same.

For Petitioner

: Mr.C.Prabakaran



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ORDER

This petition has been filed challenging the proceedings initiated by the respondent against the petitioner under Section 138 of Negotiable Instruments Act, 1881.

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.

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4. Accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in STC No.7244 of 2022, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

01.09.2023

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

To

1. Metropolitan Magistrate Court
Fast Track Court No.I.
Egmore, Chennai.
- 2.The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J

KP

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