



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-11-2023

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Crl. OP No.23090 of 2023

And

Crl.MP Nos.16196 and 16197 of 2023

Mrs.V.Vanitha

... Petitioner/Accused No.3

Vs.

M.Chinnu

... Respondent/Complainant

Prayer: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to call for the records and to quash the complaint in STC No.5824 of 2023 on the file of the learned Fast Track Court-II Metropolitan Magistrate, Egmore at Allikulam, Chennai.

For Petitioner : Mr.Prakash Goklaney

For Respondent : Mr.M.R.Thangavel



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ORDER

The petitioner is the third accused in the private complaint on the file of the Fast Track Metropolitan Court No.II, Egmore in STC No.5824 of 2023. As Director of the Company, she has issued cheques and she has been arrayed as one of the accused claiming that she is vicariously liable.

2. However, the learned counsel for the petitioner submitted that in the complaint, no where it is stated how this petitioner is responsible for the day-to-day affairs of the Company. More particularly, she was not the Director of the Company after 15.09.2014 and whereas the subject cheques are dated 13.08.2019.

3. Mr.M.R.Thangavel, learned counsel takes notice on behalf of the respondent-complainant and submitted that on the date of filing the complaint, the complainant was not aware about the fact that the third accused-petitioner had resigned from the Directorship of the Company. Even for the Statutory Notice, had she replied, they would not have included



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her as an accused.

4. In view of the submissions made by the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the respondent, it is suffice to quash the complaint as against this petitioner alone and permit the Trial Court to proceed with the case in respect of other accused.

5. Accordingly, the present Criminal Original Petition stands allowed. Consequently, the connected Criminal Miscellaneous Petitions are closed.

06-11-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To

1.The Fast Track Court-II Metropolitan Magistrate,
Egmore at Allikulam, Chennai.



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DR.G.JAYACHANDRAN, J.

Svn

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

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