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CrI.OP.No.24698 of 2023
& CrI.M.P.No.17186 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.11.2023

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.24698 of 2023
& CrI.M.P.No.17186 of 2023

Mr.Rakeshbhai Ramjibhai Patel,
Director of M/s.Optus Laminates Private Limited,
Sonasan Opp. Ceramic Zone, Katvad,
Patiya TA-Prantij Sarbarkatha,
Sarbarkatha – 320 400.

... Petitioner/3rd Accused

/versus/

1. M/s.Pon Pure Chemical India Pvt Ltd,
Rep. by Jino Antony, Chief Manager-Legal,
No.32, H-Block, 15th Main Road,
Anna Nagar, Chennai – 600 040.
2. M/s.Optus Laminates Private Limited,
Rep. by its Director,
Mr.Dharmendra Ramjibhai Patel,
AT & Post – Sonasan Opp Cermanic Zone, Katvad,
Patiya TA – Prantij Sabarkatha, Sabarkantha, Gujarat.
3. Mr.Saumil Bharatbhai Chokshi,
Rep. by its Director,
M/s.Optus Laminates Private Ltd,
AT & Post – Sonasan Opp Ceramic Zone, Katvad,
Patiya TA – Prantij Sabarkatha, Sabarkantha,
Gujarat.

... Respondents



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Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., pleaded to call for the records pertaining to the proceedings in STC/PC.No.1686 of 2022 on the file of the Hon'ble Fast Track Court-I, Allikulam, Chennai and quash the same as against the petitioner.

For Petitioner : Mr.N.Devi

ORDER

The petitioner herein who is the 3rd accused seek quash of the private complaint for the alleged offence under Section 138 of Negotiable Instrument Act. The contention of the petitioner is that the cheque in dispute was not given to discharge any liability but only as a security. This facts has to be tested based on the averments made in the complaint, statutory notice and reply sent by the accused to the statutory notice.

2. This Court finds that this petitioner though received the statutory notice had not sent any reply either refuting the liability or her status as Director of the Company. The point canvassed before this Court is open to the petitioner to



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canvass in the course of trial. Accordingly, this ***Criminal Original Petition is dismissed.*** Consequently, connected Miscellaneous Petition is closed.

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Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Fast Track Court-I, Allikulam, Chennai



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DR.G.JAYACHANDRAN, J.

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