



WEB COPY



Crl.O.P.No.34587 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.O.P. No.34587 of 2019

and

Crl.M.P. Nos. 19195 & 19196 of 2019

K.S.P.Loga Subramanyan

... Petitioner

Vs.

S.Ramamurthy

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the entire records in connection with the complaint in C.C.No.983 of 2013 on the file of the learned Judicial Magistrate, Tambaram and quash the same.

For Petitioner : Mr. K.Rengarajan

For Respondent : No Appearance.

ORDER



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WEB COPY This petition is filed to quash the complaint for the alleged offences under Section 138 of the Negotiable Instruments Act.

2. It is alleged that the petitioner had issued two cheques, each for a sum of Rs.14,25,000/- and Rs.2,00,000/-, respectively. When the complainant had presented the cheques for collection of money, the same was dis-honoured. It is further alleged that the petitioner did not make payment inspite of the statutory notice.

3. The learned counsel for the petitioner would submit that the petitioner is not liable to pay the cheque amounts. That apart, the statutory notice is defective since the cheque numbers were not visible.

4. This court finds that the submission of the learned counsel for the petitioner is factual in nature and has to be adjudicated only before the Trial Court and hence this Court is not inclined to entertain the quash petition.



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WEB COPY 5. Accordingly, this petition is dismissed. Consequently,
connected Miscellaneous Petitions are closed. No costs.

28.03.2023

Index : Yes/No
Internet : Yes/No
Neutral Citation :Yes/No

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To

The Judicial Magistrate,
Tambaram



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SUNDER MOHAN. J,

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