



Crl.O.P.(MD)No.1050 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1050 of 2023

and

Crl.M.P.(MD)Nos.961 and 962 of 2023

P.Kandhimathi

: Petitioner

Vs.

Pasupathi Sundaram

: Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the entire records pursuant to the private complaint in S.T.C.No.558 of 2022 on the file of the Fast Track at Magistrate Level, Karur and quash the same.

For Petitioner

: Mr.S.Gokul Raj

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to call for the entire records pursuant to the



Crl.O.P.(MD)No.1050 of 2023

private complaint in S.T.C.No.558 of 2022 on the file of the Fast Track at Magistrate Level, Karur and quash the same.

2. Admittedly, the respondent has filed the complaint under Section 200 Cr.P.C against the petitioner for the offence under Sections 138 r/w 142 of Negotiable Instruments Act.

3. The main contention of the petitioner is that the petitioner's company was not impleaded as a party in the complaint and in the absence of the same, the complaint itself is legally not maintainable. But, even according to the petitioner, M/s.Atul Fabs, is a proprietary concern. Since the proprietary concern is not having any legal entity, the question of impleading the proprietary concern does not arise.

4. Except the above, the petitioner has not canvassed any other reason or ground for quashing the complaint. Hence, this Court decides that the Criminal Original Petition is devoid of merits and the same is liable to be dismissed.



Crl.O.P.(MD)No.1050 of 2023

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5. In the result, the Criminal Original Petition is dismissed.

Consequently, connected Miscellaneous Petitions are closed.

23.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Fast Track at Magistrate Level,
Karur.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.1050 of 2023

K.MURALI SHANKAR,J.

das

Order made in
Crl.O.P.(MD)No.1050 of 2023
and
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