



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. No.5984 of 2024

M/s.Classic FM Developers,
A Registered Partnership Firm,
Rep. by its Power of Attorney Mr.RameshKumar Jain
Having Office at
Old No.17, New No.61, Ormes Road,
2nd Floor, Kilpauk, Chennai – 600 010.

...Petitioner

Vs

1.M/s.Vijay Shanthi Builders Limited
Represented by its Director Mr.Chandan Kumar Jain
Having Corporate Office address at
Vijay Complex, No.3, Blackers Road,
4th Floor, Mount Road,
Near Casino Theatre,
Chennai – 600 002.

2.Mr.Chandran Kumar Jain
Director of M/s.Vijay Shanthi Builders Limited
Having Corporate Office address at
Vijay Complex, No.3, Blackers Road,
4th Floor, Mount Road,
Near Casino Theatre,
Chennai – 600 002.

... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the return docket order dated 10.01.2024 passed by the Learned Metropolitan Magistrate Fast Track Court -II, Egmore and consequentially direct to take cognizance of the complaint in S.R.1271 of 2023 filed by the petitioner on 03.10.2023.

For Petitioner : Mr.S.R.Rajagopal
Senior Counsel for
Mr.T.Shrinikethan

ORDER

This criminal original petition has been filed to set aside the return docket order dated 10.01.2024 passed by the Learned Metropolitan Magistrate Fast Track Court -II, Egmore and consequentially direct to take cognizance of the complaint in S.R.1271 of 2023 filed by the petitioner on 03.10.2023.

2.Heard Mr.S.R.Rajagopal, learned Senior Counsel for the petitioner and carefully perused the materials available on record.

3.The petitioner has already given an explanation for the return endorsement dated 19.12.2023. The same shall be considered by the Court below and if the complaint is otherwise in order, the same shall be acted



upon and cognizance shall be taken. This process shall be completed, within a period of four weeks from the date of receipt of copy of this order.

4.The Registry is directed to return back the original complaint filed, to the learned counsel for the petitioner in order to enable the learned counsel for the petitioner to re-present the complaint before the Court below.

5.This criminal original petition is disposed of with the above directions.

12.03.2024

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
ssr

To

- 1.The Metropolitan Magistrate Fast Track Court -II, Egmore.
- 2.The Public Prosecutor, High Court, Madras.



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N.ANAND VENKATESH, J

SSR

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