



**WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 02.02.2024**

**CORAM:**

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL.OP No. 6191 of 2022**  
**CrI. MP. No. 3485 & 3486 of 2022**

1 Jayashree

...petitioner

Vs.

M.Tamilselvan

...Respondent

PRAYER : This petition has been filed under Section 482 of Cr.P.C, to call for the records pertaining to the STC No. 1638 of 2021 on the file of the learned judicial magistrate No., Salem and quash the same.

For Petitioner : Mr.B.Sundarapandiyan

For Respondent : Mr. S.Balaji



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## **ORDER**

The petitioner herein filed this petition to call for the records pertaining to the STC No. 1638 of 2021 on the file of the learned judicial magistrate No., Salem and quash the same.

2. The learned counsel for the petitioner submits that the petitioner is wife of the second accused. While initiating proceedings under Section 138 of Negotiable Instrument Act, the defacto complainant issued notice only to the husband of the petitioner not to her therefore the defacto complainant failed to comply the mandatory provisions of law. Hence, he prays to quash the STC No. 1638 of 2021.

3. By way of reply, the learned counsel for the defacto complainant produced the copy of the particulars of the firm running by the petitioner's family. On perusal of the records, it reveals that both the petitioner and her husband are partners in Sri Electrical Engineering. If at all any defence available to the petitioner, she is permitted to work out her remedy before the Trial Court. Considering the age of the petitioner, her appearance before the trial Court is ordered to be dispensed with.



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4. In the result, this petition is dismissed. No Costs. Consequentially,  
connected miscellaneous petition is closed.

**02.02.2024**

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To  
The Public Prosecutor,  
High Court, Madras.



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**T.V.THAMILSELVI, J.**

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