



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2024

CORAM:

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

CRL.OP No. 9622 of 2022
CrI.MP. Nos. 5655 & 5657 of 2022

1 SAURABH BANKIMCHANDRA DANI
(ERSTWHILE) ADDITIONAL DIRECTOR M/S.MIEL E-
SECURITY PVT LTD MIDC ROAD NO.9 PLOT NO.
16 GROUND FLOOR BEHIND SAMRUDDHI VENTURE
PARK ANDHERI (E) MUMBAI - 400 093

...PETITIONER

Vs.

1 REDINGTON (INDIA) LTD
REP BY MR.M.SUNDARARAJAN SENIOR LEGAL
EXECUTIVE SPL GUINDY HOUSE 95 MOUNT ROAD
GUINDY CHENNAI 600032.

...RESPONDENT

PRAYER : This petition has been filed under Section 482 of Cr.P.C, to call for the entire records in CC No.3872 of 2014 pending on file of the Learned FTC-III Metropolitan Magistrate Saidapet Chennai and QUASH the same as against the Petitioner/3rd Accused.

For Petitioner : Mr.R.Palaniandavan
For Respondent : Mr.S.S.Rajesh



WEB COPY

ORDER

The petitioner herein filed this petition to call for the entire records in CC No.3872 of 2014 pending on file of the Learned FTC-III Metropolitan Magistrate Saidapet Chennai and quash the same as against the Petitioner/3rd Accused.

2. The respondent herein filed the private complaint before the FTC-III Metropolitan Magistrate Saidapet Chennai, against the petitioner for the offence punishable under Section 138 r/w 141 of Negotiable Instrument Act, and the same was taken on file in C.C No. 3872 of 2014. Challenging the same, the petitioner filed this petition to quash the said C.C No. 3872 of 2014.

3. The learned counsel for the petitioner submits that the petitioner is not signatory of the alleged cheque and he was not authorised to issue the cheque on behalf of the accused company. Further, the complainant erroneously averred that the petitioner is a signatory and the statement relied by the respondent is wholly false and is clearly made with an attempt to mislead the Court. Thereby no case made out against the petitioner prays to allow this petition.



4. The learned counsel for the respondent submits that the petitioner as a director of the company who involved in day to day affairs and the cheque was issued by him. He raised strong objection to allow this petition.

5. Considering the submissions on either side, at this stage, I am not inclined to allow this petition, the petitioner can work out his remedy before the Trial Court. However, the petitioner is aged about 60 years, his appearance is ordered to be dispensed with. Further, the Trial court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order.

6. In the result, this petition is dismissed. No costs. Consequentially, connected miscellaneous petitions are closed.

19.03.2024

pbl

To
The Public Prosecutor,
High Court, Madras.



WEB COPY



4

T.V.THAMILSELVI, J.

pbl

CRL.OP No. 9622 of 2022
CrI.MP. Nos. 5655 & 5657 of 2022

19.03.2024