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Crl.O.P.No.14364 of 2024
& Crl.M.P.Nos.8801 & 8802 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.14364 of 2024
& Crl.M.P.Nos.8801 & 8802 of 2024

Jahabar Jassam Hajamaideen

... Petitioner/Accused

/versus/

Sujith Karunakaran Nair.

...Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records and quash the STC.No.2560 of 2023 pending on the file of the Hon'ble Metropolitan Magistrate (Fast Track Court No.II), Allikulam, Chennai.

For Petitioner : Mr.Sudarshana Setty

For Respondent : No appearance

ORDER

The petitioner is an accused in a complaint registered under Section 138 of N.I Act. The said complaint is pending before the Metropolitan Magistrate (Fast Track Court No.II), Allikulam in S.T.C.No.2560 of 2023 stating that the issue is purely civil in nature, arising out of contract, the present petition is filed to quash the complaint.



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2. Several factual issue arising in the grounds (series A to Q), those grounds purely touch upon the disputed facts but nothing to indicate that the complaint *ex facie* not maintainable.

3. From the record this Court finds that the cheque issued by this petitioner for a sum of Rs.18 lakhs, on presentation, got returned leading to issuance of notice followed by the complaint.

4. Some Judgments has been relied by the Learned Counsel for the petitioner to buttress the petition's prayer. The points raised are purely factual in nature. It has to be tested in the trial. The petition to quash the complaint under Section 482 of Cr.P.C., is not maintainable.

5. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

20.06.2024

Index : Yes/No.
Neutral Citation : Yes/No.
bsm



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Copy to:-

1. The Metropolitan Magistrate (Fast Track Court No.II), Allikulam, Chennai.
2. The Public Prosecutor, High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN, J.

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