



Crl.O.P.No.19681 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.19681 of 2023

And

Crl.M.P.Nos.13288 of 2023 and 1161 of 2024

1.M/s.Vivekananda Coffee Company
Represented by N.Srinivasan

2.N.Srinivasan

... Petitioners

Vs.

P.G.Sathish

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to call for records relating to the case in S.T.C.No.1939 of 2022 on the file of the learned FTC – I Metropolitan Magistrate, Egmore, Chennai and quash the same.

For Petitioners : Mr.K.K.Kannan
For Respondent : Mr.B.Janakiran

O R D E R

This petition has been filed challenging the proceedings initiated by the respondent against the petitioners under Section 138 to 142 of



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Negotiable Instruments Act, 1881 (Amended Act 55 of 2002) read with
Section 200 of Cr.P.C.

2.The grounds raised by the counsel for the petitioners are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 482 of Criminal Procedure Code. The facts of this case and grounds raised in the quash petition does not fall within the parameters laid down by the Apex Court in Bhajan Lal case reported in (1992) Suppl (1) SCC 335. It is left open to the petitioners to raise all the grounds before the Court and the same shall be considered on its own merits and in accordance with law. This Court is not inclined to interfere with the proceedings pending before the Court below.

3.Accordingly, this criminal original petition is dismissed and the Court below is directed to complete the proceedings in S.T.C.No.1939 of 2022, within a period of six months from the date of receipt of copy of this order. Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/ No

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Speaking Order: Yes/ No
NCC: Yes/ No

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To

- 1.The FTC – I Metropolitan Magistrate,
Egmore,
Chennai.
- 2.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



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N.ANAND VENKATESH,J.
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