



Crl.O.P.Nos.25703 & 24121 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 06.12.2024

CORAM:

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos.25703 & 24121 of 2022

and

Crl.M.P.Nos.15902, 15904, 15306 & 15307 of 2022

T.S.Kalpanadevi

... Petitioner/Accused
in both Crl.O.Ps.

Versus

K.Gajendran

... Respondent/Complainant
in both Crl.O.Ps.

PRAYER : Criminal Original petitions filed under Section 482 of Cr.P.C., praying to call for the records in S.T.C.Nos.296 & 297 of 2020, respectively, pending on the file of Judicial Magistrate Court, Ranipet Town and quash the same in the nature and circumstances of the case and in the interest of justice, equity and good conscience.

For Petitioner : Ms.R.Rayeesa Fathima
in both Crl.O.Ps.

For Respondent : Mr.B.Gopalakrishnan
in both Crl.O.Ps.



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COMMON ORDER

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These Criminal Original Petitions have been filed seeking to quash the proceedings in S.T.C.Nos.296 & 297 of 2020, respectively, filed for offence under Section 138 of the Negotiable Instruments Act, pending on the file of Judicial Magistrate Court, Ranipet Town.

2.The learned counsel for petitioner would submit that there are ample evidence to show that the amounts under the cheque have been repaid to the complainant's son's account and thereby, seek for quashing of the proceedings.

3.Per contra, learned counsel for the respondent/complainant would submit that the grounds raised by the petitioner are factual in nature, which can only be proved by way of trial and he would also submit that complainant has been examined as P.W.1 and the petitioner has not cross examined P.W.1 yet.



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4.Taking into consideration the fact that trial has commenced and the complainant has been examined as P.W.1, this Court is of the opinion, no useful purpose would be served by keeping this Criminal Original Petitions pending. In view of the above, these Criminal Original Petitions are dismissed with a direction to the learned trial Judge to complete the trial in S.T.C.Nos.296 and 297 of 2020, within a period of four months from the date of receipt of a copy of this order. Consequently, connected Criminal Miscellaneous Petitions are closed.

06.12.2024

Index : Yes / No
Internet : Yes/No
Neutral citation : Yes/No
Speaking / Non-speaking order
rsi



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A.D.JAGADISH CHANDIRA, J.

rsi

To

1.The Judicial Magistrate,
Ranipet.

2.The Public Prosecutor,
High Court, Madras.

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