



Crl.O.P.No.20103 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No. 20103 of 2023

and

Crl.M.P.Nos.13666 and 13664 of 2023

1.M/s.Navamin Pharmaceuticals Private Limited,
Represented by its Director,
D.V.Latha,
D/o.D.P.Venkatesan,
Flat No.37, Kala Flats,
No.172, Habibullah Road,
T.Nagar,
Chennai – 600 017

2.D.V.Latha
D/o.D.P.Venkatesan ... Petitioners

Vs.

J.Karthikeyan,
S/o.Jagannathan ... Respondent

Prayer in Crl.O.P.No.20103 of 2023 : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to call for the records in S.T.C.No.625 of 2022 on the file of the Judicial Magistrate, Fast Track Court, Poonamallee and quash the same.



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For Petitioner : Mr.V.Rajesh

For Respondents : Mr.A.Damodaran for R1

ORDER

This petition has been filed to quash the proceedings in S.T.C.No.625/2022, on the file of the Judicial Magistrate, Fast Track Court, Poonamalle.

2. When the matter came up for hearing on 13.09.2023, this Court passed the following order:

"Notice to the respondent in both the cases returnable by four weeks. Private notice is also permitted. The petitioners are also permitted to serve notice on the learned counsel for the respondent, in both the cases, before the Court below.

2. The learned counsel for the petitioners submitted that the entire cheque amount was paid to the respondents on the first date of hearing itself. That apart, it is also brought to the notice of this Court that the respondents have already initiated proceedings in O.S.o.300 of 2023 against the petitioners for eviction and the same is pending before the District Court, Tiruvallur.

3. Prima facie case has been made out and there shall be an order of stay pending disposal of the Criminal Original Petitions.

Post these cases after four weeks."



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3. When the matter was taken up for hearing today, it was confirmed by the learned counsel for the respondents that the entire cheque amount was paid by the petitioners on the first date of hearing.

4. In the light of the above submission, the continuation of criminal proceedings against the petitioners will result in abuse of process of law and it requires the interference of this Court. Accordingly, the proceedings in S.T.C.No.625/2022, on the file of the Judicial Magistrate, Fast Track Court, Poonamalle, is hereby quashed.

5. This Criminal Original Petition is allowed in the above terms.

23.01.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

1.The Judicial Magistrate,
Fast Track Court, Poonamallee.

2.The Public Prosecutor,
High Court, Madras.

N.ANAND VENKATESH, J.



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Crl.O.P.No.20103 of 2023
and
Crl.M.P.No.17827 of 2024

23.01.2024