



Crl.O.P.No.30612 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.30612 of 2024

and

Crl.M.P.No.17419 of 2024

Rohiniben Rakeshbhai Patel
Director of M/s.H.J.Hygiene Private Ltd,
8 Malavdeep duplex NR,
Sharda Nagar Post Office,
Paldi,
Ahmedabad – 380007.

.. Petitioner

Vs

M/s.Cholamandalam Investment and
Finance Company Ltd ,
having office at II Floor Date House No.2
NSC Bose road,
Parrys Chennai – 600001.

... Respondent

PRAYER:

Criminal Original Petition filed under Section 528 of BNSS to
call for the records in STC No.980 of 2023 on the file of the Fast Track
Court IV, George Town, Chennai and quash the same.

For Petitioner : Mr.A.Kumana Raja



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ORDER

This Criminal Original Petition has been filed to call for the records in STC No.980 of 2023 on the file of the Fast Track Court IV, George Town, Chennai and quash the same.

2.Heard the learned counsel appearing for the petitioner and and perused the materials available on record.

3. It is the contention of the petitioner that the respondent complainant/Finance Company themselves admitted that loan was given to the Director of the petitioner's company and hence the Director of the company is responsible for repayment of loan, not the individual person and the cheque was issued in her capacity as an individual. His further contention is that the complaint filed by the respondent as against the petitioner is not sustainable either in law or on facts and there is no prima facie evidence has been produced to establish the complaint.



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4. Though the petitioner has not given any reply to the statutory notice, she has admitted the issuance of cheque. The grounds raised by the petitioner are matter for trial. Hence, this Court is not inclined to allow this petition.

5. In view of the same, the Criminal Original Petition is dismissed. Consequently connected miscellaneous petition is closed. However, the petitioner is at liberty to take all her defence during trial before the trial court.

09.12.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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P.VELMURUGAN, J.

mfa

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