



CrI.O.P.(MD)No.7524 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.7524 of 2024

and

CrI.M.P.(MD)Nos.5329 and 6585 of 2024

Jeyanthi Sundar

... Petitioner

versus

Rathna Devi

... Respondent

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the case in STC No.175 of 2024 pending trial on the file of the learned Judicial Magistrate (Fast Track) Thanjavur and quash the same.

For Petitioner : M/s.S.MP.Amalan

For Respondent : Mr.C.Senthil Murugan



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ORDER

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The petitioner is an accused in S.T.C.175 of 2024 on the file of the learned Judicial Magistrate (Fast Track) Thanjavur, for the offence under Section 138 of the Negotiable Instruments Act. She has filed this petition to quash the proceeding in S.T.C.No.175 of 2024 pending against her. The amount involved in this case is Rs.30,00,000/-.

2. The petitioner has moved this petition before the Vacation Court that she is prepared to settle the amount with the defacto complainant and also ready to pay a sum of Rs.3 lakhs immediately to the defacto complainant, within a period of eight weeks. Considering the submission made on behalf of the petitioner, this Court, by order dated 22.05.2024 in CrI.M.P.(MD)No.5329 of 2024, has ordered notice and also granted an order of interim stay. The petitioner, after obtaining an order of interim stay, has not taken any steps to settle the issue with the defacto complainant. Therefore, the



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defacto complainant has moved a petition in Crl.M.P.(MD)No.6585 of 2024 to vacate the interim order granted by this Court on 22.05.2024. Considering the same, this Court, by order dated 02.07.2024, referred the matter to the Mediation and also appointed Mr.J.John, Advocate, as a Mediator. The Mediator has filed a report that the Mediation completed and no agreement was reached.

3. The petitioner has approached this Court with a false promise that she is inclined to settle the issue with the defacto complainant and obtained an order of interim stay. When the matter was referred to the Mediation Centre, she is not inclined to settle the issue with the defacto complainant. It appears that the petitioner has filed this petition in order to drag on the proceedings which is pending against her.

4. Considering the conduct of the petitioner, this Criminal Original Petition is dismissed with a direction to the learned Judicial



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Magistrate (Fast Track), Thanjavur, to conclude the trial in STC No. 175 of 2024 within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are closed.

29.07.2024

Index : Yes / No.
Internet: Yes / No.
NCC : Yes/No.
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To

1. The Judicial Magistrate,
(Fast Track),
Thanjavur.



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B.PUGALENDHI, J.

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