



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3775 of 2024
and Crl.M.P. No.2770 of 2024

R.Radha @ Radha Ramalingam

... Petitioner

Vs.

Madhan Raj

... Respondent

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to set aside the Order dated 26.08.2023 made in unnumbered Crl.M.P.S.R. No.1087 of 2023 in S.T.C. No.3156 of 2022 on the file of the learned Judicial Magistrate No.5, Salem.

For Petitioner : Mr.S.Vinod

ORDER

This Petition has been filed challenging the order passed in unnumbered Crl.M.P.S.R. No.1087 of 2023 in S.T.C. No.3156 of 2022 on the file of the learned Judicial Magistrate No.5, Salem dated 26.08.2023, thereby rejected the Application is not maintainable.



WEB COPY

2. It is seen that the petitioner is an accused in STC. No.3156 of 2023 filed by the respondent for offence under Section 138 of the Negotiable Instruments Act, 1881. While pending the complaint, the petitioner filed a petition to drop all further proceedings on the ground of jurisdiction and also claiming that the cognizance taken against the petitioner/accused is erroneous.

3. Now the jurisdiction issue has been settled and as such the Application filed by the petitioner was rightly rejected by the Trial Court as not maintainable and this Court finds no infirmity or illegality in the order dated 26.08.2023 made in unnumbered CrI.M.P.S.R. No.1087 of 2023 in S.T.C. No.3156 of 2022 on the file of the learned Judicial Magistrate No.5, Salem and this petition is devoid of merits and is liable to be dismissed.

4. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous petition is closed.

18.02.2025

Internet : Yes / No

Index : Yes / No

Speaking / Non Speaking order

rkp



WEB COPY

To

1. The Judicial Magistrate No.5, Salem.

2. The Public Prosecutor,
High Court, Madras.



WEB COPY

4



G.K.ILANTHIRAIYAN, J.

rkp

Crl.O.P.No.3775 of 2024
and Crl.M.P. No.2770 of 2024

18.02.2025