



Crl.O.P.No. 4427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 4427 of 2025

and

Crl.M.P.Nos.2797 & 2799 of 2025

Rakesh Agarwal

.... Petitioner

Vs

1.M/S.Shri Ram Distributions Pvt. Ltd.

Represented By Its Authorised Person, Mr.M.Satish Kumar,
6th Floor, Mookambika Complex,
No.4, Lady Desika Road,
Mylapore, Chennai - 600 004.

2.M/S.A.N.Trader Pvt. Ltd.

Represented By Its Director,
No.A1/12, W.H.S. Kirti Nagar,
New Delhi - 110 015.
Also At Plot No.167, Sector 4,
I.M.T., Manesar - 122050.

3.Ahsok Sharma

Director M/S.A.N.Trader Pvt. Ltd.,
Plot No.167, Sector 4,
I.M.T., Manesar - 122 050.

4.Rajan Sharma

Director M/S.A.N.Trader Pvt. Ltd.,
Plot No.167, Section 4,
I.M.T., Manesar - 122 050.

.... Respondents



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PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for records in C.C.No.4629/2016 pending on the file of XX Metropolitan Magistrate, Egmore at Allikulam and quash the same as against the Petitioner.

For Petitioner : Mr.N.R.Rajagopalan

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.4629 of 2016 pending on the file of the XX Metropolitan Magistrate, Egmore at Allikulam, thereby taken cognizance for the offence under Section 138 read with Section 141 & 142A of Negotiable Instruments Act, 1881.

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

3. It is seen from the records that the petitioner is arrayed as an accused in the complaint filed by the first respondent for the offence under Section 138 of the Negotiable Instruments Act, 1881. The trial has already commenced and the prosecution had examined the witnesses as P.Ws.1 to 4. This Court is of the considered view that at this stage of trial, the prayer for quashing the entire proceedings cannot be entertained and is liable to be dismissed.



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4. In view of the above, this Court is not inclined to quash

the proceedings in C.C.No.4629 of 2016 on the file of the XX Metropolitan Magistrate, Egmore at Allikulam. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

19.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

The XX Metropolitan Magistrate,
Egmore, Allikulam



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G.K.ILANTHIRAIYAN, J.

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