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Crl.O.P.No.7551 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2025

CORAM:

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

Crl.O.P.No.7551 of 2023

and

Crl.M.P.Nos.4825 and 4826 of 2023

1. M/s.Plastech,
Represented by its Managing Partner,
Sivakumar,
47, The Sakthi Co-op Industrial Limited,
Udumalai Road, Makkinampatti Post,
Pollachi.

2. S.Sivakumar

3. S.K.Siva Subramaniam

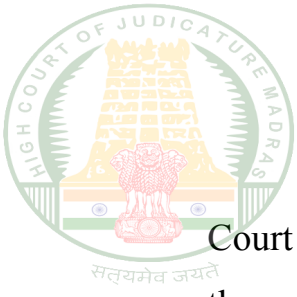
... Petitioners

Vs

M/s. Navitas Enterprises Pvt. Ltd.,
Rep. by its Director,
R.Mohanraj,
S/o. T.C.Rajendran,
No.13-15, First Floor,
Verivada Street, Appusamy Layout Road,
Pulliyakulam, Coimbatore – 641045.

... Respondent

Prayer:Criminal Original Petition filed under Section 482 of Cr.P.C., to call for the records in respect of the complaint filed by the respondent herein in S.T.C.No.531 of 2022 against the petitioner on the file of the Fast Track



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Court (Magisterial Level) Judicial Magistrate No.II, Coimbatore and quash the same.

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For Petitioners : Mr.R.Nalliyappan

ORDER

This Criminal Original Petition has been filed to quash the complaint in S.T.C. No. 531 of 2022 against the petitioner on the file of the Fast Track Court (Magisterial Level), Judicial Magistrate No. II, Coimbatore.

2. The petitioners are the accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. Further, this petition has been pending for the past two years, even without the ordering of notice. The petitioner did not take any steps to bring this matter even for admission.

3. On a perusal of the complaint, it reveals that the petitioners had entered into a deed of agreement for distribution-cum-sale of relpet with the respondent on 06.05.2013. As per the agreement, they placed an order with



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the respondent and the respondent had supplied materials to the petitioners

on a credit basis from time to time. Accordingly, the petitioners owe a sum

of Rs.2,32,71,401/-, including interest as per the agreement, for the delayed

payments to the respondent. In order to settle the said amount, the

petitioners had issued a cheque and the same was presented for collection.

However, it was returned dishonoured for the reason that funds were

insufficient. After causing a statutory notice, the respondent filed a

complaint and the same has been taken cognizance of in S.T.C. No. 531 of

2022. Therefore, this Court finds absolutely no grounds to quash the entire

proceedings, and the Criminal Original Petition is devoid of merits.

4. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petitions are closed.

11.03.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

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1. The Fast Track Court (Magisterial Level)
Judicial Magistrate No.II, Coimbatore.
2. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J,

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