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Crl.O.P.No.23307 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.23307 of 2025
and Crl.M.P.No.15917 of 2025

R.Anandan

... Petitioner

Versus

S.Mohan Kumar

... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records in C.C.No.1090 of 2013 on the file of the learned Metropolitan Magistrate, Fast Track Court No.1, Egmore, Allikulam, Chennai and quash the same insofar as the petitioner is concerned.

For Petitioner : Mr.R.Syed Mustafa
for Mr.K.P.Suresh Kumar

ORDER

This petition has been filed to call for the records in C.C.No.1090 of 2013 on the file of the learned Metropolitan Magistrate, Fast Track Court No.1, Egmore, Allikulam, Chennai and quash the same insofar as the petitioner is concerned on the ground that the company is not made as an accused.



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2. Heard th learned counsel for the petitioner and perused the materials placed on record. Since no adverse order is passed against the respondent, notice to the respondent is dispensed with.

3. Though various grounds raised by the learned counsel for the petitioner, on perusal of the complaint itself, it is not the case of the respondent that the company has issued cheque, whereas, specific allegations are made against the petitioner/accused. Therefore, at this stage, the contention of the petitioner that the respondent is in habit of claiming usurious interest and other things cannot be gone into at this stage. It is for the Trial Court to appreciate such things and it is well open to the petitioner to raise all the defence before the Trial Court.

4. At this stage, the learned counsel for the petitioner sought indulgence of the Court, to dispense with the personal appearance of the petitioner.

5. Accordingly, this Criminal Original Petition is dismissed. In view of the submissions of the learned counsel for the petitioner, the personal appearance of the petitioner is dispensed with except for receiving copies, for answering the



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charges, for questioning under section 313 Cr.P.C. and any other dates fixed by

the trial Court. Consequently, connected miscellaneous petition is closed.

22.08.2025

dhk

Index : Yes

Internet : Yes

To

The Metropolitan Magistrate, Fast Track Court No.1,
Egmore, Allikulam, Chennai



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N.SATHISH KUMAR, J.

dhk

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