

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27/08/2003

CORAM

THE HONOURABLE MR.JUSTICE M. CHOCKALINGAM

CRL.O.P.NO.24431 OF 2001

AND

CRL.M.P.NOS.8366 AND 8367 OF 2001

T. James .. Petitioner

-Vs-

R.Tamilselvan .. Respondent

This criminal original petition is preferred under Section 482 of Cr.P.C. to call for the records and quash the proceedings in C.C.No.111 of 2001 on the file of the learned Judicial Magistrate No.II, Nagecoil.

!For Petitioner : Mr.A.V.Arun

^For Respondent : Mr.S.Ashok Kumar

:ORDER

This petition has been brought forth by the petitioner herein to quash the proceedings in C.C.No.111 of 2001 on the file of the learned Judicial Magistrate, No.II, Nagercoil.

2. It was a private complaint filed by the respondent herein alleging that a cheque was issued by the accused in favour of the complainant and the same was placed for encashment. It was dishonoured. A statutory notice was issued. The non-compliance of the demands made therein constrained the complainant to file a complaint under Sections 138 and 142 of the Negotiable Instruments Act. It was taken cognizance and summons were issued. On receipt of summons, the petitioner/accused has brought forth this original petition for quashing the proceedings.

2. The court has perused the records. It is admitted by both sides that the trial before the Judicial Magistrate is commenced and now it is part heard. Under the stated circumstances, the Court is not inclined to quash the proceedings. Hence, the petition has got to be dismissed. Accordingly, the petition is dismissed. Consequently, connected Cr.M.Ps are also dismissed.

Index : Yes

Internet : Yes

vvk  
To  
The Judicial Magistrate No.II  
Nagercoil

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