



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2026

CORAM

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**CRL OP No. 19349 of 2026
and CRL.MP.No.12846 of 2026**

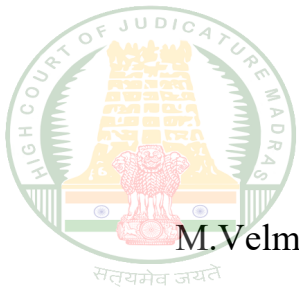
1. Sasti Capital
Rep by its Partners
T. Vijaya Kannan
A. Thangavel,
Door No.357/4, MGR Nagar,
Near HP Petrol Bunk,
Kumarapalayam,
Namakkal District-638 183.

Present Address
Door No.2-C, Bye Pass Road,
Kumarapalayam,
Namakkal District-638 183.

2. T. Vijayakannan
Partner,
Sasti Capital,
S/o. Thangavel,
Door No.5/10-5,
Poolakadu, Ganapathy Nagar,
(Near Gandhi Nagar)
Kumarapalayam,
Namakkal District-638 183.

3. A. Thangavel
Partner,
Sasti Capital,
S/o. Arumugam,
Door No.5/10-5,
Poolakadu, Ganapathy Nagar,
(Near Gandhi Nagar)
Kumarapalayam,
Namakkal District-638 183.

..Petitioner(s)



Vs

M.Velmurugan

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..Respondent(s)

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records in STC No.60 of 2026 on the file of the Fast Track Court JM, Tiruchengode and quash the same and thus render justice.

For Petitioner(s): Mr.K.Selvaraj

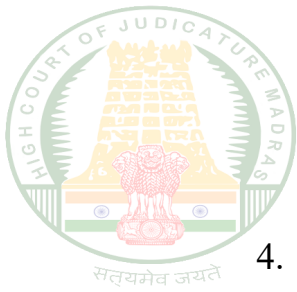
For Respondent(s): Mr.R.Srinivas, Senior Counsel

ORDER

The prayer in the Criminal Original Petition is to quash the proceedings in STC.No.60 of 2026.

2. The same is a private complaint filed by the respondent for the alleged offence under Section 138 of the Negotiable Instruments Act. The only ground on which the proceedings are sought to be quashed is that when the proof affidavit was filed without even granting any opportunity for the defence to cross-examine, the evidence of the complainant was closed and the accused was examined under Section 313 of the Code of Criminal Procedure and thereafter, now the matter is posted for defence evidence.

3. The learned counsel for the petitioners would submit that straight away the evidence cannot be closed without granting an opportunity to cross examine PW1, the complainant.

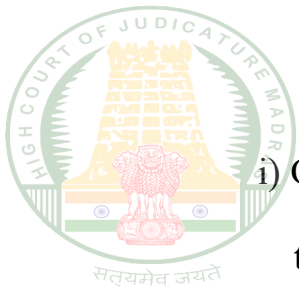


4. Per contra, the learned Senior Counsel appearing on behalf of the respondent would submit that the proof affidavit on behalf of PW1 complainant, was duly filed and only after an opportunity, the cross-examination was closed. Without availing the opportunity, the petitioners cannot complain before this Court. In any event, the same cannot be a ground to quash the proceedings and the other grounds raised in the petition are also not grounds for quashing the proceedings.

5. I have considered the rival contentions made on either side and perused the material records of the case.

6. Now the case is posed for defence evidence. It would be open for the petitioners accused to let in the defence evidence, if they choose to. As far as the case of the complainant is concerned since it is submitted that PW1 was examined, but no cross-examination is done, considering the plea of opportunity that is made, one more opportunity can be granted to the petitioners to cross-examine PW1.

7. The learned counsel appearing on behalf of the respondent would also agree for such course, in order to avoid further delay in the matter. In view thereof, this Criminal Original Petition is disposed of on the following terms:



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i) On the next hearing or such other sooner date as may be fixed by the Trial Court, PW1 shall present before the Court and the petitioners shall cross-examine PW1 on the same day.

ii) Thereafter, the matter can be further adjourned for the defence evidence and the petitioners can let in such defence evidence as they choose to.

iii) Both sides shall cooperate for the Court for expeditious disposal of the case. Needless to mention that the complainant side shall serve a copy of the proof affidavit on the learned counsel appearing on behalf of the accused.

Consequently, connected miscellaneous petition is closed.

21-07-2026

Neutral Citation: No
PVS

To
The Fast Track Court, Judicial Magistrate, Tiruchengode



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CRL OP No. 19349 of 2



D.BHARATHA CHAKRAVARTHY, J.

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