



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18520 of 2026

and

CrI.MP.Nos.12327 & 12328 of 2026

Ranjani

..Petitioner(s)

Vs

Balakrishnan

..Respondent(s)

PRAYER: This criminal original petition filed under Section 528 of BNSS, to call for the entire records pertaining to the S.T.C.No.2809 of 2026 on the file of the Metropolitan Magistrate, III Fast Track Court at Saidapet, Chennai - 15 and Quash the same and pass such further or other order as may deem fit and proper in the circumstances of the case.

For Petitioner(s):

Mr.B.KUMARASAMY

ORDER

The prayer in the criminal original petition is to quash the private complaint in STC No.2809 of 2026 filed for the alleged offence under Section 138 of the Negotiable Instruments Act.

2.The case of the complainant is that the accused borrowed a sum of Rs.9,00,000/- by way of a cash and in discharge of the liability towards the



principle and interest, issued a cheque for a sum of Rs.14,00,000/- and the same is returned on the ground “Account Closed”. Thereafter, statutory notice was issued and hence, the case.

3.The learned counsel for the petitioner by pointing out to the earlier order passed in Crl.O.P.No.29107 of 2022 would submit that it can be seen that the complainant and his family members are misusing the cheque one after the other. Earlier, the petitioner’s husband was said to have been borrowed the amount and when the said case came to be quashed, now the cheque belonging to the petitioner, who is the wife, has again misused. When the earlier transactions are ending in quashing, there is no way after the same in the year 2024, there would have been an advancement of money. The case of the complainant is inherently improbable. Further, the petitioner has also issued a reply notice to the statutory notice. The same is also not reflected in the complaint. The money is said to have been advanced in cash, in violation of the rules that are framed under the Income Tax Act, 1961.

4. I have considered the said submissions made by the learned counsel for the petitioner.

5.Each of the said allegations has to be put across to the complainant during the course of the trial and the allegations by itself will not become



conclusive factor to quash the case at this stage, though the same may be a relevant factor while considering the guilt or otherwise of the petitioner. In view of the same, keeping open the liberty of the petitioner to raise all these grounds during the course of the trial, this criminal original petition cannot be entertained at this stage. Since hardship is pleaded by the learned counsel for the petitioner, the presence of the petitioner before the trial Court alone stands dispensed with, except for the hearings that may be insisted upon by the trial Court.

In view of the above, this criminal original petition stands disposed. Consequently, connected miscellaneous petitions are closed.

17-07-2026

Neutral Citation: Yes/No
sms

To

The Metropolitan Magistrate,
III Fast Track Court at Saidapet, Chennai - 15



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D.BHARATHA CHAKRAVARTHY, J.

sms

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