



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 18940 and 18944 OF 2026

AND

CRL MP NO. 12615, 12616, 12617 and 12619 OF 2026

CRL OP No. 18940 of 2026

Sakthi Stores
Rep. by Prop. S.Sakthi,
S/o.Subramani,
No.2/12, Ilamai Nagar,
Kanchipuram.

..Petitioner(s)

Vs

M.Kasinathan
S/o.Muthukkumar,
Represented by his Power agent,
Hariharan S/o.Ramamoorthi,
No.15/1, Thandalkaran Street,
Kurai Nadu, Myladuthurai Town and Dist.

..Respondent(s)

CRL OP No. 18944 of 2026

Sakthi Stores
Rep. by Prop. S.Sakthi,
S/o.Subramani,
No.2/12, Ilamai Nagar,
Kanchipuram.

..Petitioner(s)

Vs



M.Venkatesh
S/o.Muthukumar,
Represented by his Power Agent,
Cyril Shyam, S/o.Rathinasamy,
No.15/1, Thandalkaran Street,
Koorai Nadu, Myladuthurai Town and District.

..Respondent(s)

CRL OP No. 18940 of 2026

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records in S.T.C.No.46 of 2026 on the file of Learned Judicial Magistrate/Fast Track Court/Mayiladuthurai and quash the same and thus render justice.

CRL OP No. 18944 of 2026

Prayer: This Criminal Original Petition is filed under Section 528 of BNSS, praying to call for the records in S.T.C.No.47 of 2026 on the file of Learned Judicial Magistrate/Fast Track Court/Mayiladuthurai and quash the same and thus render justice.

For Petitioner(s): Mr.K.Saravanan

Common Order

These two matters are connected to each other and as such are taken up and disposed of by this common order.

2. The prayer is to quash the complaints pending in S.T.C.Nos.46 and 47 of 2026. The same are private complaints filed by the complainants for the offence under Section 138 of the Negotiable Instruments Act. The case of the



complainants is that the accused had borrowed money for his business purpose and agreed to repay the same with interest. In discharge of his liability, the cheques in question were issued. However, the same returned dishonoured with endorsement “funds insufficient” and statutory notice was issued. Since there is no payment, the present case.

3. The learned counsel for the petitioner by pointing out to the various receipts that are annexed to the typed set of papers would submit that the accused is supposed to pay back the loan amount in installment. He was discharging it lawfully. While so, the cheques that were issued by way of security are now misused and the case is being filed. The amount already paid by the petitioner is not at all properly accounted for.

4. I have considered the said submissions made by the learned counsel for the petitioner. The said submissions are factual in nature, to be raised before the Trial Court during the course of the trial and hence, the quash petitions cannot be entertained on the said grounds.

5. In view thereof, keeping open the liberty of the petitioner to raise all the grounds in the trial, these Criminal Original Petitions cannot be countenanced and, as such, stand disposed of. Considering the hardship that is prayed by the learned counsel for the petitioner, the presence of the petitioner



before the Trial Court, except for the necessary hearings, shall stand dispensed with. Consequently, connected miscellaneous petitions are closed.

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16-07-2026

Neutral Citation: No
PVS

To
The Judicial Magistrate, Fast Track Court,
Mayiladuthurai



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D.BHARATHA CHAKRAVARTHY J.

PVS

CRL OP No. 18940 and 18944 OF 2026

16-07-2026