

Crl.OP(MD).No.8890 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **03.07.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

Crl.OP(MD).No.8890 of 2026

and

Crl.M.P.(MD).No.9430 of 2026

Suresh

... Petitioner

/vs./

S.Priya

... Respondent

Prayer : Criminal Original Petition filed under Section 528 of BNSS, 2023, to call for the records relating to the complaint in S.T.C.No.292 of 2024 on the file of learned Judicial Magistrate (Fast Track Court) No.I, Madurai District and quash the same as illegal.

For Petitioner : Mrs.R.Sangeetha

For Respondent : Mr.K.K.Kannan

ORDER

Heard Mrs.R.Sangeetha, learned counsel for the petitioner and Mr.K.K.Kannan, learned counsel for the respondent.

2. The present Criminal Original Petition has been filed by the accused in S.T.C.No.292 of 2024 on the file of learned Judicial Magistrate (Fast Track



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Court) No.I, Madurai District, seeking to quash the private complaint initiated under Section 138 read with 142 of Negotiable Instruments Act.

3. According to the learned counsel appearing for the petitioner, a blank cheque issued by the petitioner was filled up by the respondent and has been misused. She further submits that the cheque was issued only as security and that there is no legally enforceable debt. She also points out that there is an overwriting in the amount column of the cheque, amounting to a material alteration. Therefore, according to her, the provisions of the Negotiable Instruments Act are not attracted.

4. Per contra, the learned counsel appearing for the respondent/complainant submitted that the complainant's evidence was closed on 02.07.2026 and that the case is posted on 20.07.2026 for the defence to adduce its evidence. At this stage of the proceedings, the present petition has been filed belatedly. He further submitted that the grounds raised by the petitioner can be urged during the course of the trial and do not constitute grounds for quashing the proceedings.



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5. I have carefully considered the submissions of both sides and I have gone through the materials available on record.

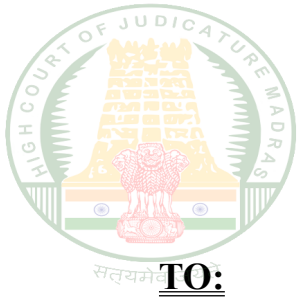
6. Insofar as the defences raised by the petitioner, namely, that the cheque was issued as a blank cheque, that it was issued only for security purposes, and that there is no legally enforceable debt, are concerned, these are matters to be adjudicated during the course of the trial and cannot be considered in a petition seeking quashing of the proceedings. In such circumstances, this Court does not find any merit in the present petition.

7. Accordingly, this Criminal Original Petition stands **dismissed** with the above observations, and the Trial Court is directed to proceed with the trial in accordance with law. However, the personal appearance of the petitioner shall stand dispensed with, unless specifically directed by the Trial Court. Consequently, the connected miscellaneous petition stands closed.

03.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr

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TO:

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- 1.The Judicial Magistrate (Fast Track Court) No.I,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR, J.

Nsr

Order made in
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