



CrI.A.No.1299 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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Ramchand Asrani
Rep.by its POA M.P.Dennis
No.778, Poonamallee High Road, No.5D,
Peninsula Apartment, Kilpauk,
Chennai 600 010
by his power of attorney holder,
Sri Mathew Paul, Christian,
No.2, III Street,
Ponvelpuram, Ayanavaram,
Chennai 600 023

... Appellant

Vs.

S.Shravanth

... Respondent

PRAYER: Criminal Appeal filed under Section 419 of BNSS, 2023, praying to set aside the judgment of dismissal dated 21.11.2024 made in STC.No.2513 of 2023 on the file of the learned XXVI Metropolitan Magistrate, Egmore, Chennai.

For Appellant : Mr.N.Gopikrishnan

JUDGMENT

This criminal appeal has been preferred against the judgment



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of dismissal dated 21.11.2024 made in STC.No.2513 of 2023 on the file

of the learned XXVI Metropolitan Magistrate, Egmore, Chennai.

2. Heard, the learned counsel appearing for the appellant and perused, all the materials placed before this Court.

3. On perusal of records, it is revealed that the appellant is the complainant and the respondent is the accused in the complaint lodged for the offence punishable under Section 138 of NI Act. The aforesaid case was taken cognizance by the trial court. However, the appellant remained absent before the trial court. As such, the case was posted under the caption 'for dismissal'. Even on that day, the appellant did not appear. As such, the complaint was dismissed. However, this Court is inclined to give one more opportunity to the appellant to put forth the case.

4. In view of the above, the impugned judgment dated 21.11.2024 passed in STC.No.2513 of 2023 on the file of the learned XXVI Metropolitan Magistrate, Egmore, Chennai., is set aside and the



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matter is remanded back to the trial court. The trial court is directed to issue fresh summon to the respondent and proceed with trial. It is made clear that the appellant shall cooperate for trial.

5. With the above directions, this criminal appeal stands allowed.

25.08.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
lok

To

The learned XXVI Metropolitan Magistrate, Egmore, Chennai.



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G.K.ILANTHIRAIYAN, J.

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