



Crl.A.No.1304 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.08.2025

CORAM

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

Crl.A.No.1304 of 2025

M/s.ZYLOG SYSTEMS LIMITED,
Represented by its Director,
Mr.Ashok Kumar Kohli,
No.155, Thiruvalluvar Salai,
Kumaran Nagar,
Sholinganallur,
Chennai - 600 119.

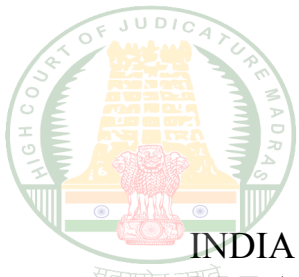
.....Appellant/Complainant

Vs

1.Mr.Sudharshan Venkatraman
USA Address: 15, Arbor Circle,
Edison, N.J 08837, USA
INDIA Address : Flat No.60/80, New
Tech BilwaTulasi Apartments,
E & F, 3rd Floor, 53rd Street, 9th Avenue,
Ashok Nagar,
Chennai - 600 083.

2. Mr.Ramanujam Sesharathnam
USA Address 85, Calvert Avenue,
West Edison, NJ 08820, USA
INDIA Address: Flat No.60/80, New
24/16, Brindavan 1st Cross Street,
West Mambalam, Chennai - 600 033.

3.Mr.Shivkumar Kandasamy
USA Address: 80, Sharon Court,
Metuchen, NJ 08840, USA



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INDIA Address: Door No.7, 19th Floor,
DLF Apartments, Semmancherry,
Chennai - 600 119.

4. Mr.Sirish Kumar Rastogi

USA Address: #22, Parkside Drive,
North Brunswick, NJ 08902, USA

....Respondent

PRAYER : Criminal Appeal has been filed under Section 419 of Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to set aside the dismissal order dated
17.11.2022 passed in Crl.M.P.No.6942 of 2018 and order restoration of
Crl.M.P.No.6942 of 2018 before the learned Judicial Magistrate -I, Alandur.

For Appellant : Mr.M.Govindaraju

JUDGMENT

This Criminal Appeal has been preferred as against the order passed
in Crl.M.P.No.6942 of 2018 on 17.11.2022 on the file of the learned Judicial
Magistrate No.1, Alandur, thereby dismissed the protest petition for default.

2. On perusal of the records, it revealed that the petitioner lodged a
complaint as against the accused persons making several allegations, however,
after enquiring the complaint, a report was filed before the learned Judicial
Magistrate No.1, Alandur. Aggrieved by the said report, petitioner/appellant
filed a protest petition in Crl.M.P.No.6942 of 2018 and the same was
dismissed for default, against which, the present appeal is filed.



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3. On perusal of the records it revealed that, the petitioner was absent

before the trial Court on several hearings, however in order to give one more opportunity to the petitioner/appellant to put forth his case before the trial Court, this Court is inclined to set aside the order passed in Crl.M.P.No.6942 of 2018 on 17.11.2022 on the file of the learned Judicial Magistrate No.1, Alandur.

4. In the result, this Criminal Appeal Stands allowed and accordingly the order passed in Crl.M.P.No.6942 of 2018 on 17.11.2022 on the file of the learned Judicial Magistrate No.1, Alandur is hereby set aside. The matter is remanded back to the trial Court for fresh disposal after giving fresh summons to the parties in accordance with law.

21.08.2025

Speaking order/Non-speaking order

Index :Yes/No

Internet :Yes/No

Sma

To

Judicial Magistrate No.1, Alandur.



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G.K.ILANTHIRAIYAN, J.
Sma

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