



Crl.O.P.No.3253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM:

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

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and

Crl.M.P.No.2191 of 2025

1. M/s.Swarnamukhi Developers Pvt, Ltd.,
Represented by its Directors,
S.Sudhakaram (aged 62 years) and
N.L.Sriram (aged 62 years),
Trimex Towers, 1, Subbaraya Avenue,
C.P.Ramaswamy Road, Alwarpet,
Chennai – 600 018.

2. S.Sudhakaram

3. N.L.Sriram

... Petitioners

Vs.

B.Jayaraman
S/o. M.Balu
Rep. by his Power of Attorney
J.Dakshna Moorthy

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of B.N.N.S.,
to set aside the order in Memo in C.C.No.1496 of 2027 on the file of XXV
Metropolitan Magistrate, Egmore, Chennai, dated 20.12.2024.



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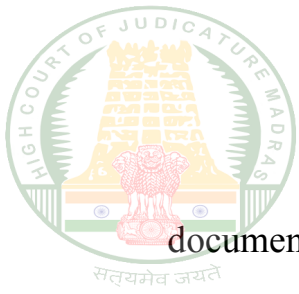
For Petitioners : Ms.Revathi Manivannan
For Respondent : Mr.S.Thiruvengadam

ORDER

This petition has been filed to set aside the order dated 20.12.2024 in Memo in C.C. No. 1496 of 2027, on the file of the XXV Metropolitan Magistrate, Egmore, Chennai, thereby rejecting the request made by the petitioner to mark the TDS certificate through PW.1.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioners are accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. During the trial, the complainant's power holder, viz., the respondent herein, was examined in chief and while cross-examining him, the petitioners had shown the TDS certificate of the complainant and attempted to mark the same. However, the petitioners were not allowed to mark the document through PW.1 on the ground that PW.1 does not know English, since the



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document is in English.

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4. The learned counsel for the respondent would submit that for one or other reason, the petitioners are trying to drag the proceedings.

5. On a perusal of the document, which was sought to be marked, it is only a TDS certificate under Form No. 16A, which stands in the name of the respondent. Therefore, it can be marked through PW.1, who is representing on behalf of the power holder.

6. In view of the above, the Trial Court is directed to permit the petitioner to mark the TDS certificate under Form No. 16A through PW.1 on the next date of hearing itself, and to complete the trial within a period of three months from the date of receipt of a copy of this order.

7. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes/No
Neutral citation : Yes/No



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Speaking/non-speaking order

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To

The XXV Metropolitan Magistrate,
Egmore,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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