



Crl OP Nos.4862 & 4863 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.02.2025

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**CRL.OP.Nos. 4862 & 4863 of 2025 &
Crl.M.P.Nos.3151 & 3155 of 2025**

1.M/s.Star Plastics (Firm)
Rep by its Managing partner
Mr.V.Nandakumar
No.168/1, Kolathupalayam
Gangapuram (Post) Chittode (Via)
Erode – 638 102

2.V. Nandakumar

...Petitioners/Accused
in both the cases

Vs

Aryan Jain

..Respondent/Complainant
in Crl.OP.No.4862/2025

Amit M. Jain(HUF)

..Respondent/Complainant
in Crl.OP.No.4863/2025

PRAYER IN CRL.OP.No.4862 & 4863 of 2025:Criminal Original Petitions filed under Section 528 of Bharatiya Nyaya Sanhita, 2023, to call for the entire records in STC.Nos.9800 & 9801 of of 2024 pending on the file of learned FTC-I, Metropolitan Magistrate, Egmore (at Allikulam) Chennai, and quash the same.



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For Petitioners : Mr.Rahul Balaji
For Respondent : Ms.A.S.Neela Narayani

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COMMON ORDER

These petitions have been filed to call for the entire records in STC.Nos.9800 & 9801 of 2024 pending on the file of the learned FTC-I, Metropolitan Magistrate, Egmore (at Allikulam) Chennai, and quash the same.

2. Ms.A.S.Neela Narayani, learned counsel takes notice for the respondent/complainant in both cases.

3. The learned counsel for the respondent, on instructions, submitted that already trial in these cases have been commenced and the cases were posted for cross examination of defense side witnesses on 04.03.2025.

4. Heard both sides and perused the materials available on record.

5. Perusal of records would reveal that the respondent/complainant has filed complaints in STC.Nos.9800 and 9801 of 2024 before the Metropolitan Magistrate, FTC-1, Egmore, Allikulam, Chennai against the



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petitioner alleging that the petitioner has committed offence under section 138 of Negotiable Instruments Act. On receipt of legal notice from the complainant/respondent under section 138 of Negotiable Instruments Act, the petitioner failed to reply to the same. Further, it is seen that the trial in both the cases have been commenced and the cases are posted for cross examination of defense side witnesses before the trial court. After commencement of trial, petition for quashing of proceedings of the cases cannot be entertained. Therefore, the relief sought for by the petitioner cannot be granted. In view of the above, these Petitions are dismissed. The petitioner is at liberty to raise all his grounds before the trial court. Consequently, the connected miscellaneous petitions are closed.

21.02.2025

msr

Index:yes/no

Internet:yes/no

To

1. The FTC-I, Metropolitan Magistrate,
Egmore (at Allikulam) Chennai,
2. The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.

msr

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