



CrI.A.No.1075 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM:

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

CrI.A.No.1075 of 2025

Suresh

... Appellant

Vs.

Balu

... Respondent

PRAYER: Criminal Appeal filed under Section 419(4) of BNSS, praying to set aside the judgment dated 24.12.2024 acquitting the accused in STC.No.294 of 2019 on the file of the Judicial Magistrate, Fast Track Court, Poonamallee and remand back the case for fresh trial by allowing this appeal.

For Appellant : Mr.M.J.Riaz Ahamed

JUDGMENT

This criminal appeal has been preferred against the judgment dated 24.12.2024 acquitting the accused in STC.No.294 of 2019 on the file of the Judicial Magistrate, Fast Track Court, Poonamallee.

2. Heard, the learned counsel appearing for the appellant and



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perused, all the materials placed before this Court.

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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 appellant did not appear before the trial court for several hearings. Therefore, the complaint was dismissed for default. However, this Court is inclined to give one more opportunity to the appellant to put forth his case.

4. In view of the above, the impugned judgment dated 24.12.2024 acquitting the accused in STC.No.294 of 2019 on the file of the Judicial Magistrate, Fast Track Court, Poonamallee is set aside. 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.

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

Judicial Magistrate, Fast Track Court, Poonamallee



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G.K.ILANTHIRAIYAN, J.

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