



WEB COPY

CRL OP No. 6595 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

**CRL OP No. 6595 of 2023
and Crl.MP.Nos.4131 and 4133 of 2023**

Jayanthi

Petitioner(s)

Vs

K.B.Chhabria

Respondent(s)

PRAYER

To quash the case proceedings in STC.No.7740/2022 offence u/s.138 of the Negotiable Instruments Act on the file of the Learned Metropolitan Magistrate Fast Track 1, at Egmore (Allikulam) Chennai.

For Petitioner(s): M/s.P.Prince Premkumar

For Respondent(s): Mr.R.Pravesh
for M/s.P.B.Ramanujam Associates



ORDER

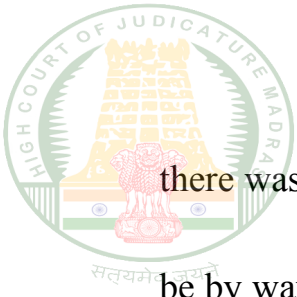
WEB COPY

This petition has been filed to quash the case proceedings in STC.No.7740/2022 for the offence u/s.138 of the Negotiable Instruments Act on the file of the Learned Metropolitan Magistrate Fast Track 1, at Egmore (Allikulam) Chennai.

2. The complaint has been filed on the ground of dishonour of cheque, which was issued for a sum of Rs.19 Lakhs.

3. It is the contention of the petitioner that the defacto complainant is a money lender and there is no legally enforceable debt against her. Actually, the petitioner's husband received some amount and he also repaid it and she is noway connected to that.

4. Admittedly, these are all the facts to be established on records. The petitioner being the drawer of the cheque, the burden lies on her to show that



there was no consideration and no legally enforceable debt. The rebuttable must

be by way of evidence either by direct or circumstantial. Such evidence be gone

into only before the Trial Court and not before this Court. Accordingly, this

petition is dismissed. Consequently, connected miscellaneous petitions are

closed.

10-09-2025

pvs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB COPY

CRL OP No. 6595 of 2023



N.SATHISH KUMAR J.

pvs

**CRL OP No. 6595 of
2023**

10-09-2025