



Crl.R.C.No.513 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 29.07.2025

CORAM:

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

Crl.R.C.No.513 of 2025

M/s.Rishabh Triexim LLP
Rep. by its Power of attorney
Vivekanandam,
I-339, Third Floor,
Sumel Business Park-6,
Old Jupiter, Near Dudheshwar Circle,
Dudheswar, Ahmedabad.

Head Office At:-
No.69, VOC Salai Wall Tax Road,
Park Town, Sowcarpet,
Chennai – 600 003.

... Petitioner

Vs.

1. M/s. Ingenious E-Commerce Pvt. Ltd.,
Rep. by its Directors,
Harsh Vinodbhai Patel &
Akash KanuBhai Domadiya
A-906, Titenium City Center,
Near Sachin Towers,
100 Feet Ring Road,
Anandnagar, Satelite,
Ahmedabad, Gujarat – 300 015.

2. Harsh Vinodbhai Patel
Director of M/s. Ingenious E-Commerce Pvt. Ltd.,
A-906, Titenium City Center,
Near Sachin Towers,



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100 Feet Ring Road,
Anandnagar, Satelite,
Ahmedabad, Gujarat – 300 015.

3. Akash KanuBhai Domadiya
Director of M/s. Ingenious E-Commerce Pvt. Ltd.,
17/10, Dipalinagar Chhapra, NR. R.T. School,
Adinathnagar, Jadeswar Mahadev Road,
Odhav, Ahmedabad – 382 415.

... Respondents

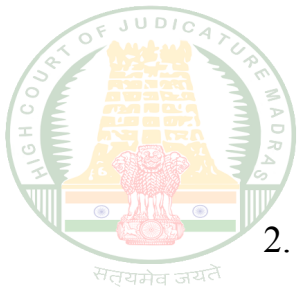
PRAYER: Criminal Revision has been filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the dismissal order dated 28.05.2024 in CrI.M.P.No.4793 of 2019 in S.T.C.SR.No.1021 of 2019 passed by the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai, and allow the revision.

For Petitioner : Mr. V.Achuthanandan

For Respondents : No appearance

ORDER

This Criminal Revision has been preferred challenging the order dated 28.05.2024 passed by the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai, in CrI.M.P.No.4793 of 2019 in S.T.C.SR.No.1021 of 2019, thereby dismissing the complaint filed by the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act (hereinafter referred to as “the NI Act”), for default.



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2. The petitioner lodged complaint as against the respondent for the

offence punishable under Section 138 of the NI Act, with delay of seven(7) days in filing the complaint. However, it was dismissed for default, since it was pending for the past three years and the petitioner failed to file an affidavit and original documents. Aggrieved by the same the present revision case.

3. Considering the above facts and circumstances, in order to give one more chance to the petitioner to pursue his complaint, this Court is inclined to allow this revision. Accordingly, the order dated 28.05.2024 passed by the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai, in CrI.M.P.No.4793 of 2019 in S.T.C.SR.No.1021 of 2019, is hereby set aside. The trial Court viz., learned IV Fast Track Metropolitan Magistrate, George Town, Chennai, is directed to pass orders in the condone delay petition after recording the sworn statement of the petitioner and proceed with the trial and also dispose the same on merits and in accordance with law, within a period of six months thereafter.

4. Accordingly, the Criminal Revision Case stands allowed.

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Internet: Yes

Index: Yes/No

Speaking/Non speaking order
rts



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G.K.ILANTHIRAIYAN. J.

rts

To

1. The IV Fast Track Metropolitan Magistrate,
George Town, Chennai.

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