



WEB COPY



CrI.A.No.1346 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM:

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

CrI.A.No.1346 of 2025

S.Pandiyammal

... Appellant

Vs.

M.Geetha

... Respondent

PRAYER: Criminal Appeal filed under Section 419 of BNSS, praying to call for the records of the acquittal judgment passed by the learned Fast Track Court No.I, Judicial Magistrate, Coimbatore on 22.07.2024 in CC.No.527 of 2018 and set aside the same with costs.

For Appellant : M/s.R.Nivedha

For Respondent : Mr.R.Nandhakumar

JUDGMENT

This criminal appeal has been preferred against the acquittal judgment passed by the learned Fast Track Court No.I, Judicial Magistrate, Coimbatore on 22.07.2024 in CC.No.527 of 2018, thereby dismissing the complaint and acquitting the respondent for the offence



CrI.A.No.1346 of 2025

punishable under Section 138 of NI Act.

WEB COPY

2. The appellant lodged complaint alleging that the respondent borrowed a sum of Rs.1,75,000/- & Rs.1,00,000/- on 15.09.2016, Rs.2,25,000/- on 15.10.2016 and Rs.1,00,000/- on 30.10.2016, in total Rs.7,00,000/-. In order to repay the same, the respondent issued two cheques for a sum of Rs.1,00,000/- each and the same were presented for collection. Both were returned dishonoured for the reason 'funds insufficient'. After causing statutory notice, complaint was filed and the same was taken cognizance by the trial court.

3. In order to prove the complaint, the appellant was examined as PW1 and marked Ex.P1 to Ex.P11. On the side of the respondent, no one was examined and no documents were produced. On perusal of oral and documentary evidences, the trial court found the respondent not guilty and dismissed the complaint. Aggrieved by the same, the present criminal appeal has been filed by the complainant.

4. Heard, the learned counsel appearing on either side and perused all the materials placed before this Court.

Page 2 of 5



CrI.A.No.1346 of 2025

5. On perusal of records, it is revealed that Ex.P9, which is the

legal notice dated 11.06.2018 has been probabalised by the own words of PW1 in respect of the respondent's husband Chandran not knowing about the loan transaction between Pandiyammal and Geetha, PW1 not returning the security documents on the pretext of handing it over to some other persons, who went to Malaysia and PW1 already lodged police complaint before Thudiyalur Police Station, which are suppressed in the complaint. Therefore, the security documents handed over by the said Geetha has been misused. As such, the trial court rightly dismissed the complaint and acquitted the respondent.

6. Accordingly, this criminal appeal is dismissed.

28.08.2025
(4/4)

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



WEB COPY



CrI.A.No.1346 of 2025

To
The learned Fast Track Court No.I, Judicial Magistrate, Coimbatore



WEB COPY



Crl.A.No.1346 of 2025

G.K.ILANTHIRAIYAN, J.

lok

Crl.A.No.1346 of 2025

28.08.2025

(4/4)