



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-09-2025

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CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL A No. 1438 of 2025

1. M/s.Kotak Mahindra Bank Ltd.,
Registered Office at 27BKC, C27, G
Block, Bandra Kurla Complex, Bandra
(E), Mumbai-400 051. Branch Office at
No.185, 2nd Floor, Anna Salai, Mount
Road, Chennai-600 0056. (Landmark-
Next to India Garage Mahindra Car
Show Room) Rep by its Authorized
Officer, Mr.K.Velmurugan (Age-42
Yrs).

Appellant(s)

Vs

1. M/s.V Go Motors Pvt. Ltd.,
Rep.by its Director , Having its
Registered Office at E-1/4, Pandav
Nagar, Patpar Ganji, Above Hero
Motocrop Showroom, Delhi (East)-
110092. Also at Showroom, Sewa
Grand Mall, Mathura Road, Faridabad,
Haryana. Also at Workshop, Shed
No.10-11, Gate No.3, Bhaskar Estate,
Mathura Road, Faridabad, Haryana.

2.Vivek Goel
Director, House No.76, Sector-15, Part-



I, Gurgaon-122 001, Haryana.

3. Anju Goel

Director, House No.76, Sector-15, Part-1,
Gurgaon-122 001, Haryana.

Respondent(s)

PRAYER:

To call for the records of the order passe din C.C.No.5449 of 2020 dated 23.01.2025 on the file of the MM, FTC-I, Egmore at Allikulam, Chennai and set aside the same by allowing the Criminal Appeal and consequently restore the complaint on file of the Learned MM, FTC-I, Egmore.

For Appellant(s): Mr.V.Balasubramani
V.Vadivelan
G.Kavitha
L.Udayarajkumar
D.Baskar
R.Kalaivani
K.Indhumathi
R.Marsilin Soosai
K.Dowlath
S.Nandhini
B.Stalin Kanthimathi
M.Rajavel Praveen

For Respondent(s): No appearance

ORDER

This Criminal Appeal has been filed to call for the records of the order passed in C.C.No.5449 of 2020 dated 23.01.2025 on the file of the learned



Metropolitan Magistrate, Fast Track Court-I, Egmore, at Allikulam, Chennai

and to set aside the same by allowing the Criminal Appeal and consequently restore the complaint on file of the learned Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai.

2.The appellant is the banking authorities. They lodged a complaint against the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act. The complaint was taken cognizance by the Trial Court in C.C.No.5449 of 2020. However, the appellant/complainant failed to appear before the Trial Court on 23.01.2025. Hence, the Trial Court dismissed the complaint. Now, the appellant traced out some of original documents, and they are ready to proceed with the case.

3.Considering the facts and circumstances of the case, this Court is of the view that the appellant may be given with one more opportunity to put forth the complaint before the Trial Court, since the CC case is of the year 2020.

4.In view of the above, the Order dated 23.01.2025 made in C.C.No.5449 of 2020 on the file of the learned Metropolitan Magistrate, Fast Track Court-I, Egmore, at Allikulam, Chennai, is hereby set aside. The Trial Court is directed



to issue fresh summons to the parties and proceed with the trial. The appellant shall co-operate with the Trial Court for the expeditious disposal of the case.

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5. In the result, this Criminal Appeal stands allowed.

11-09-2025

mps

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Metropolitan Magistrate,
Fast Track Court-I,
Egmore,
Allikulam,
Chennai.



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T.V.THAMILSELVI J.

mps

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