



CrI.A.No.1054 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2025

CORAM:

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

CrI.A.No.1054 of 2025

A.P.Jayachandran

... Appellant

Vs.

R.Narenthiran

... Respondent

PRAYER: Criminal Appeal filed under Section 378(4) of Code of Criminal Procedure, to call for the records in CC.No.6641 of 2018 on the file of the learned Metropolitan Magistrate, Fast Track Court No-II, Egmore @ Allikulam and set aside the order dated 14.08.2024, acquitting the respondent herein of the offence under Section 138 of Negotiable Instrument Act.

For Appellant : Mr.B.M.Santharam

JUDGMENT

This criminal appeal has been preferred against the order passed in CC.No.6641 of 2018 on the file of the learned Metropolitan Magistrate, Fast Track Court No-II, Egmore @ Allikulam dated 14.08.2024, thereby acquitting the respondent herein of the offence under Section 138 of Negotiable Instrument Act.



CrI.A.No.1054 of 2025

WEB COPY 2. Heard, the learned counsel appearing for the appellant and perused, all the materials placed before this Court.

3. On perusal of records, it is revealed that the appellant is the complainant and the respondent was the accused in the complaint lodged for the offence punishable under Section 138 of NI Act and the same was taken cognizance in CC.No.6641 of 2018 by the trial court. However, the said complaint was dismissed stating that though warrant was pending, the appellant did not take any steps for the same and also, he did not appear before the court. 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 order passed in CC.No.6641 of 2018 on the file of the learned Metropolitan Magistrate, Fast Track Court No-II, Egmore @ Allikulam dated 14.08.2024, is set aside. The trial court is directed to issue fresh summon to the respondent and proceed with the trial. It is made clear that the appellant shall cooperate for trial.



CrI.A.No.1054 of 2025

5. With the above directions, this criminal appeal stands

allowed.

24.07.2025

Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order

lok

To

1.The learned Metropolitan Magistrate, Fast Track Court No-II, Egmore
@ Allikulam



WEB COPY



CrI.A.No.1054 of 2025

G.K.ILANTHIRAIYAN, J.

lok

CrI.A.No.1054 of 2025

24.07.2025