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Crl.O.P.Nos.12782 and 8022 of 2025 and
Crl.M.P.Nos.8463, 8465, 5186 and 5187 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.Nos.12782 and 8022 of 2025 and
Crl.M.P.Nos.8463, 8465, 5186 and 5187 of 2025

1. M/s.Greenocare Engineering Private Limited,
Factory No.124/A2, Sirunallur Village,
Maduranthagam Taluk, Chengalpet - 603 309.
2. Venkatraman Kannan
Managing Director, Greenocare Engineering Pvt. Ltd.,
Factory No.124/2, Sirunallur Village,
Maduranthagam Taluk, Chengalpet - 603309.
Now residing at Flat 3A, Ramaniyam Raja,
New No.35, Venkatarathinam Nagar Main Road,
Adyar, Chennai - 600 020.
3. Renuka Kannan
Renuka Devi Kannan
Director, Greenocare Engineering Pvt. Ltd.,
Factory No.124/A2, Sirunallur Village,
Maduranthagam Taluk, Chengalpet- 603 309
Now residing at J303, Indraprasth-5,
Prahlaad Nagar, Ahmadabad City,
Gujarat- 380 015. ...Petitioners in both the OPs



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Vs.

M/s.Metecno India Private Limited,
Represented by its Senior Manager, Finance Mr.S.Sekar,
Having Office at II Floor, Florida Towers,
138/30, Nelson Manickam Road,
Chennai - 600 029.
Having its factory at E-11,
Sipcot Industrial Area, NH-4,
Sriperumbudur, Kancheepuram District. ...Respondent in both the OPs

Prayer in both the Petitions : Criminal Original Petitions filed under Section 528 of BNSS, to quash the complaint lodged by the respondent in S.T.C.Nos.474 of 2024 on the file of the Judicial Magistrate, Sriperumbudur, and S.T.C.No.2683 of 2024 on the file of the eIV Fast Track Metropolitan Magistrate, George Town, Chennai-1, respectively, for the offence under Section 138 and 142 of Negotiable Instrument Act, 1881.

For Petitioners : Mr.T.P.Savitha - in both the OPs

For Respondent : Mr.T.R.Ramesh - in both the OPs



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COMMON ORDER

These petitions have been filed seeking to quash the cases in S.T.C.No.474 of 2024 pending before the learned Judicial Magistrate, Sriperumbudur and S.T.C.No.2683 of 2024 pending before the learned Metropolitan Magistrate, IV Fas Track Court, George Town, Chennai – 1.

2 According to learned counsel for the petitioners, the dispute between the petitioners and the respondent is arising out of a contractual liability, for which the respondent has to approach the Commercial Court and they cannot initiated proceedings under Section 138 of NI Act. The respondent provided substandard materials and for a single invoice, the respondent filed the two different complaints. Further more, the petitioners 2 and 3 have not participated in the day to day affairs of the Company. Therefore the cases against the petitioners have to be quashed.



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3 It is the contention of the learned counsel for the respondent, there are amounts due from the petitioners, for which they have issued cheques and when the same were presented for encashment, both the cheques were returned. Therefore respondent sent notices and the petitioners also acknowledged the same, but they neither paid the amount nor sent any reply. Therefore present complaints were filed and there is no reason to quash the cases.

4 Heard the learned counsel appearing on either side and perused the materials available on record.

5 A perusal of the complaints would reveal that there are averments made against the petitioners that they participated in the day to day affairs of Company. Further the grounds taken by the petitioners are not sufficient to quash the cases in S.T.C.Nos.474 of 2024 and 2683 of 2024 pending against the petitioners. This Court does not find any reason to



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quash the cases as sought for by the petitioners.

6 Accordingly, these Criminal Original Petitions stand dismissed. However, the petitioners are at liberty to raise all their defence before the trial Court. Consequently connected miscellaneous petitions are closed.

18.06.2025

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Speaking /Non-speaking order

To

1. The Judicial Magistrate, Sriperumbudur.
2. IV Fast Track Metropolitan Magistrate, George Town, Chennai-1.
3. The Public Prosecutor, Madras High Court.



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P.VELMURUGAN, J.

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