



Crl.O.P.No.25519 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.25519 of 2025 and
Crl.M.P.Nos.17284 and 17285 of 2025

M.Shakila Banu
Proprietrix of M/s.Five Star Fruits
W/o.S.K.Mohamed Farukh
No.60, Police Line Street, Near Head Post Office
Karur – 639 001

... Petitioner

Vs.

M/s.Samunnati Agro Solutions Pvt. Ltd.
Rep. by its Power Agent K.Amudan
S/o.Kannappa Ramasamy
Having office at
Baid Hi Tech Park, No.129-B, 8th Floor
East Coast Road, Thiruvananthapuram
Chennai – 600 041

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to C.C.No.1006 of 2021 on the file of V Fast Track Metropolitan Magistrate, Saidapet, Chennai – 600 015 and quash the same.

For Petitioner : Mr.R.Thanjan

ORDER

As no adverse order is being passed against the respondent, notice to the respondent is dispensed with and this Criminal Original Petition is taken up for disposal at the admission stage itself.



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2. The petitioner seeks to quash the complaint filed by the respondent

under Section 138 of the Negotiable Instruments Act in C.C.No.1006 of 2021 on the file of V Fast Track Metropolitan Magistrate, Saidapet, Chennai on the ground that there was no privity of contract between the petitioner and the respondent and there is differences in the writings in the cheque.

3. At the outset, this Court is of the view that such a contention has no ground to quash the entire proceedings. Once a cheque is dishonored, it is for the accused to establish that the cheque was not issued for any consideration and there was no legally enforceable debt. The accused has to rebut the legal presumption in the manner known to law. This Court finds no merits in this case.

4. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed.

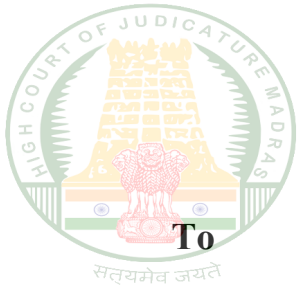
17.09.2025

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No



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To
The V Fast Track Metropolitan Magistrate,
Saidapet, Chennai – 600 015



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N. SATHISH KUMAR, J.

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