



Crl.A.No.1328 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM:

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

Crl.A.No.1328 of 2025

M/s.Pulkit Metals Private Ltd.,
163/1, K Sons Complex,
1st Floor, Prakasam Salai,
Broadway,
Chennai 600 108,
Represented by its power of attorney
Agent D.Sethuraman

... Appellant

Vs.

Afsal

... Respondent

PRAYER: Criminal Appeal filed under Section 419 of BNSS, praying to set aside the acquittal order/judgment of the learned FTC-1, Metropolitan Magistrate Court, Allikulam, Chennai made in STC.No.1902 of 2021 dated 19.03.2025.

For Appellant : Mr.S.Praveennath

JUDGMENT

This criminal appeal has been preferred against the acquittal order/judgment of the learned FTC-1, Metropolitan Magistrate Court, Allikulam, Chennai made in STC.No.1902 of 2021 dated 19.03.2025.



Crl.A.No.1328 of 2025

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 is the accused in the complaint lodged for the offence punishable under Section 138 of NI Act. Though it was taken cognizance by the trial court, the same was dismissed for default for the reason that the complaint had been pending for warrant and though sufficient time was given, steps were not taken by the complainant. However, this Court is inclined to give one more opportunity to the appellant to put forth their case.

4. In view of the above, the impugned judgment of the learned FTC-1, Metropolitan Magistrate Court, Allikulam, Chennai made in STC.No.1902 of 2021 dated 19.03.2025, is set aside and the matter is remanded back to the trial court. The trial court is directed to issue fresh summon to the respondent and proceed with trial. It is made clear that the appellant shall cooperate for trial.



Crl.A.No.1328 of 2025

5. With the above directions, this criminal appeal stands
allowed.

25.08.2025

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

The learned FTC-1, Metropolitan Magistrate Court, Allikulam, Chennai



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Crl.A.No.1328 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.A.No.1328 of 2025

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