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CRL OP No. 20011 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 19-08-2025**

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR**

**CRL OP No. 20011 of 2025**

**AND**

**CRL MP NO. 13817 OF 2025**

1. Kukkala Venkata Rama Vidya Sagar  
18, VM Space Road, Road No.10C,  
Jubilee Hills, Hyderabad-500 033

Petitioner(s)

Vs

1. M/s.Gimpex Limited Rep By  
Ms.Hemapriya Devaraj,282, Linghi  
Chetty Street, Chennai-01

Respondent(s)

**PRAYER :** Petition filed under Section 482 of Cr.P.C., r/w.528 of BNSS, to set aside the order dated 13.03.2025 passed by the Hon'ble Metropolitan Magistrate, Fast Track Court at magisterial Level -IV, George Town , Chennai in CrI.M.P.No.1852/2025 in CC.No.2786 of 2014.

For Petitioner(s):      M/s.K.S.Shankar Chakrapani  
                                         B.Mughundhan  
                                         M.Bharathidasan



For Respondent(s): Mr.K.V.Shanmuga Sundaram for  
M/s. AAV Partners

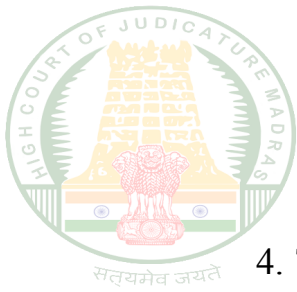
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### **ORDER**

This Petition has been filed to set aside the order dated 13.03.2025 passed by the Hon'ble Metropolitan Magistrate, Fast Track Court at magisterial Level -IV, George Town , Chennai in Crl.M.P.No.1852/2025 in CC.No.2786 of 2014.

2. The accused was prosecuted for the offence under Section 138 of Negotiable Instruments Act for dishonour of cheque. As he was not appearing before the Trial Court, Non-Bailable Warrant was issued and thereafter, he has been arrested. He filed an application in Crl.M.P.No.1046 of 2025 seeking bail. Thereafter, he was granted bail with some condition that the petitioner to appear before the Court on 10.03.2025 at 10:00 a.m. and also was directed to submit an affidavit for his current residential address and mobile number and further the petitioner shall not leave India without permission of this Court till the disposal of the case.

3. Thereafter, an application has been taken by the defacto complainant for cancel of bail in Crl.M.P.No.1852 of 2025. The Trial Court taking note of the fact that the accused has not appeared and signed before the Court till 10.03.2025 and he has not complied with the condition, has cancelled the bail.



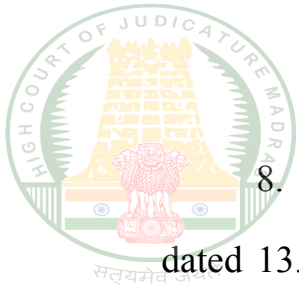
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4. The learned counsel for the petitioner submitted that even in the main case, summons has not been served. He is shown as an absconding accused and several cases are pending against him in Hyderabad filed by the same complainant and he had regularly appeared before the Court till 07.03.2025. However, the Trial Court has cancelled the bail.

5. The learned counsel for the respondent would submit that while granting bail, the accused had undertaken to pay the amount which amount has not yet been paid. Therefore, the Trial Court has rightly cancelled the bail.

6. At the outset, though the complaint has been filed in the year 2014, no progress is made. It is also not disputed that several complaints are pending in different places against the accused.

7. In such view of the matter, taking note of the fact that the case is pending for a long period, just keeping the petitioner in custody will not help the petitioner and that will lead to denying the right of the accused to contest the case. Hence, a direction is given to expedite the trial and it is made clear that the accused shall appear before the Trial Court in every hearing without any failure. In the event of failure, the Trial Court shall issue warrant and once the warrant is executed, thereafter the accused cannot come before this Court.



8. Accordingly, this Criminal Original Petition is allowed. The order dated 13.03.2025 in Crl.M.P.No.1852 of 2025 is set aside. The Trial Court is directed to dispose of the matter within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

**19-08-2025**

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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**N.SATHISH KUMAR J.**

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