



CrI.A.No.1238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 14.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

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Sweta Gupta

...Petitioner

Vs.

1. M/s Forward Shoes (I) Pvt., Ltd
No.57, Adam Nagar Main road,
Chrompet, Chennai – 600 044

2. Mohammed Yavar Dhala
Managing Partner
No.7, MGR Nedunchalai, Nagalkeni,
Chrompet, Chennai – 44

...Respondents

Prayer:

Criminal Appeal filed under Section 378 of Cr.P.C., 1973 & Section 419(4) of BNSS, 2023 to call for the records of the impugned Judgment dated 03.06.2023 in C.C.No.487 of 2014 on the file of the learned Judicial Magistrate No.1, Tambaram and set aside the same.

For Appellant : Ms.Revathi Manivannan

J U D G M E N T

This Criminal Appeal has been filed as against the order passed in C.C.No.487 of 2014 dated 03.06.2023 by the learned Judicial Magistrate No.1, Tambaram, thereby dismissing the complaint filed by the appellant for offence under Section 6C r/w 14(1B)/14A of the Employees' Provident Funds &



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Miscellaneous Provisions Act, 1952 and the Employees Deposit Linked Insurance Scheme, 1976.

2. Heard the learned counsel appearing for the petitioner and perused the documents placed on record.

3. On perusal of the records, it reveals that the appellant lodged a complaint as against the respondent for offence under Section Section 6C r/w 14(1B)/14A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 and the Employees Deposit Linked Insurance Scheme, 1976 and the same has been taken cognizance by the trial court. While the case was pending for trial, the appellant was absent before the trial court on 03.06.2023 and also failed to file an application to condone his absence. Therefore, the complaint itself was dismissed for default. In order to give one more opportunity to the appellant to putforth their case, this Court is inclined to set aside the order passed by the trial court.

4. Accordingly, the order passed in C.C.No.487 of 2014 dated 03.06.2023 by the learned Judicial Magistrate No.1, Tambaram, is set aside and the present Criminal Appeal is allowed. The learned Judicial Magistrate No.1, Tambaram, is directed to issue fresh notice to the petitioner and the



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respondents and proceed with the trial in accordance with law. It is also made

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clear that the petitioner shall co-opoerate with trial before the trial court.

14.08.2025

Index : Yes / No
Internet : Yes / No
Speaking Order / Non Speaking Order
ssd

To

1. The Judicial Magistrate No.1, Tambaram



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G.K.ILANTHIRAIYAN, J.

ssd

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