



*Crl.A.No.1344 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2025

CORAM:

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

Crl.A.No.1344 of 2025

A.Ravindrababu

... Appellant

Vs.

M.D.Balasubramanian

... Respondent

**PRAYER:** Criminal Appeal filed under Section 413 r/w 419 of BNSS, praying to set aside the dismissal order dated 22.01.2025 passed in STC.No.2580 of 2023 by the learned Metropolitan Magistrate Fast Track Court-I, Egmore at Allikulam and to restore the above mentioned STC.No.2580 of 2023 to file in the interest of justice.

For Appellant : Mr.J.Mohan Prasath

**JUDGMENT**

This criminal appeal has been preferred against the dismissal order dated 22.01.2025 passed in STC.No.2580 of 2023 by the learned Metropolitan Magistrate Fast Track Court-I, Egmore at Allikulam.

2. Heard, the learned counsel appearing for the appellant and



*Crl.A.No.1344 of 2025*

perused, all the materials placed before this Court.

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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 his case.

4. In view of the above, the impugned order dated 22.01.2025 passed in STC.No.2580 of 2023 by the learned Metropolitan Magistrate Fast Track Court-I, Egmore at Allikulam, 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.

5. With the above directions, this criminal appeal stands



allowed.

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*CrI.A.No.1344 of 2025*

28.08.2025

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

To  
The learned Metropolitan Magistrate Fast Track Court-I, Egmore at  
Allikulam



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*Crl.A.No.1344 of 2025*

**G.K.ILANTHIRAIYAN, J.**

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Crl.A.No.1344 of 2025

28.08.2025