



WEB COPY



Crl.O.P.No.19994 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No. 19994 of 2025
and
Crl.M.P.Nos.13809 and 13811 of 2025

V.Kumaravelan

... Petitioner

Vs.

G.Ramachandran

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to call for the records pertaining to the case in C.C.No.227 of 2024 on the file of the Fast Track Court Judicial Magistrate, Alandur, Chennai and quash the same.

For Petitioner : Mr.M.Javadh

ORDER

The Criminal Original Petition has been filed to quash the proceedings in C.C.No.227 of 2024 on the file of the Fast Track Judicial Magistrate Court, Alandur, Chennai.



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2. Heard the learned counsel for the petitioner and perused the

materials available on record.

3. Learned counsel for the petitioner submitted that the respondent/complainant had filed a private complaint against the petitioner/accused for the offence under Section 138 of Negotiable Instruments Act. Actually, the transactions between the petitioner and respondent are purely civil in nature, which would not attract the offence under Section 138 of the Negotiable Instruments Act. The respondent misused the cheques, which were given by the petitioner for security purpose in a sale of an immovable property, had filed a false case against the petitioner.

4. On a perusal of the records it is seen that the grounds raised by the learned counsel for the petitioner are all factual in nature and it requires appreciation of evidence and this Court cannot decide the same in exercise of its jurisdiction under Section 528 of the BNSS, 2023. Therefore, this Court does not find any reason to quash the complaint filed by the respondent/complainant. It is left open to the petitioner to



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raise all the grounds before the Court below and the same shall be considered on its own merits and in accordance with law.

5. Accordingly, the Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petitions are closed.

16.07.2025

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
ms

To

The Judicial Magistrate,
Fast Track Court, Alandur.



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P.VELMURUGAN, J

ms

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