



Crl.A.No.800 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2025

CORAM

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

Crl.A.No.800 of 2025

M/S.Northern ARC Capital Limited,
Having Office at
10th Floor, Phase-I, IIT-Madras Research Park,
Kanagam Village, Taramani,
Chennai-600 113,
Represented by its Authorised Signatory,
Mr.N.K.Rinesh.

...Appellant

Gayatri Enterprises
Rep. by Mr.Kukeshpuri Goswami
H No.334, Yelwande wasti, Marunji Road,
Hinjawadi, Mulshi, 411 057
Also At:
Mukeshpuri Goswami,
S.No.31/1/1 Krishn Newas Seed,
Buchude Wasti Mulsh I
Pune Hinjavadi CT 411 057

... Respondent

Prayer: Criminal Appeal filed under Section 419 of the Bharatiya
Nagarik Suraksha Sanhita, 2023, praying to allow this Criminal Appeal
and set aside the order passed in S.T.C.No.3215 of 2024 on the file of the
Learned XIII Metropolitan Magistrate, Egmore dated 04.06.2024.



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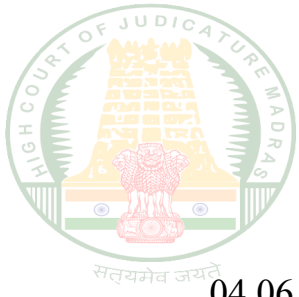
For Appellant : Ms.D.Denipa
for Mr.M.Ajmal Azzath

JUDGMENT

This Criminal Appeal has been preferred against the order passed in S.T.C.No.3215 of 2024 on the file of the Learned XIII Metropolitan Magistrate, Egmore dated 04.06.2024, thereby dismissing the complaint filed by the appellant for the offence punishable under Section 138 of the Negotiable Instruments Act.

2. The appellant is the complainant and the respondent is the accused in the complaint filed by the appellant for the offence punishable under Section 138 of the Negotiable Instruments Act. The complaint was dismissed for non appearance of the complainant, against which this criminal appeal has been filed. It is seen that this Court already allowed a similar criminal appeal in CrI.A.No.754 of 2025 on 02.07.2025 filed by the same appellant herein in similar circumstances. Hence, this Court is inclined to pass the same judgment in this criminal appeal.

3. Accordingly, the order passed in S.T.C.No.3215 of 2024 on the file of the Learned XIII Metropolitan Magistrate, Egmore dated



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04.06.2024 is hereby set aside. The Trial Court is directed to issue fresh summons to the accused and proceed with the case in accordance with law.

4. In the result, this Criminal Appeal stands allowed.

04.07.2025

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

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G.K.ILANTHIRAIYAN, J.

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To

1.The Learned XIII Metropolitan Magistrate, Egmore

2.Mr.Kukeshpuri Goswami

Gayatri Enterprises

H No.334, Yelwande wasti, Marunji Road,

Hinjawadi, Mulshi, 411 057

Also At:

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