



WEB COPY

CRL OP No. 22289 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 22289 of 2025

P.Suganya

Petitioner(s)

Vs

A.Seethalakshmi

Respondent(s)

PRAYER

This Criminal Original Petition has been filed under Section 528 of BNSS
To call for the records pertaining to the complaint in STC No.7271/2023, on the
file of Metropolitan Magistrate, Fast Track Court-III at Saidapet, Chennai and
quash the same.

For Petitioner(s): Mr. G.Shiv Asurya

ORDER

This Criminal Original Petition has been filed to quash the proceedings
initiated against the petitioner in STC No.7271 of 2023 for the alleged offence



punishable under section 138 of Negotiable Instruments Act.

WEB COPY

2. It is the contention of the petitioner that the complainant herself has admitted in the complaint that cheque in question had been issued only with an intention to take revenge for dragging the accused to the police station. It is therefore contended that there is no legally enforceable debt and hence, the complaint under Section 138 of NI Act is not maintainable.

3. The learned counsel further invited the attention of this Court to paragraph 7 of the complaint to substantiate the above contention that no liability existed against the petitioner.

4. On a careful perusal of the entire complaint, this Court is unable to accept the submission of the petitioner. The allegation that the cheque was issued only to take revenge is not correct. On the contrary, the complainant has specifically pleaded that the conduct of the accused, in attempting to project such an allegation, is only to mislead and avoid liability.

5. It is also to be noted that in paragraph 6 of the complaint, the complainant has clearly stated that the cheque has been issued in respect of past transactions between the parties. In order to give a full quit, the subject cheque



has been issued for a sum of Rs.5,15,000/-. At this stage, this Court cannot enter into a detailed appreciation of evidence or adjudicate the matter.

WEB COPY

Therefore, quashing of the proceedings does not arise at all. It is for the petitioner to establish her submissions by letting in evidence before the Trial Court.

6. Accordingly, this Criminal Original Petition is dismissed.

Consequently, connected miscellaneous petition is closed.

12-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

mrp

To

The Metropolitan Magistrate,
Fast Track Court-III,
Saidapet, Chennai.



WEB COPY

CRL OP No. 22289 of 2025





WEB COPY

CRL OP No. 22289 of 2025



N.SATHISH KUMAR J.

mrp

CRL OP No. 22289 of 2025

12-08-2025