



Crl.A.No.1233 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM:

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

Crl.A.No.1233 of 2025

R.Karunanidhi

... Appellant

Vs

N.Palani

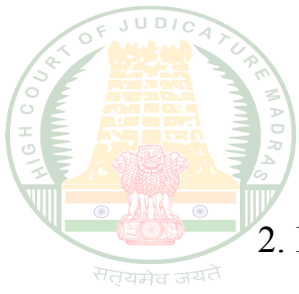
... Respondent

PRAYER: Criminal Appeal is filed under Section 419(4) of BNSS, 2023, to set aside the Judgment dated 26.06.2024 passed in C.C.No.488 of 2022 on the file of the Fast Track Court (Magisterial Level), Alandur and convict the respondent under Section 138 of Negotiable Instruments Act

For Appellant : Mr. G.Krishnamurthy

J U D G M E N T

This appeal has been preferred as against the order passed in C.C.No.488 of 2022 by the Fast Track Court (Magisterial Level), Alandur, thereby dismissed the complaint of the appellant for offence under Section 138 of Negotiable Instruments Act and acquitted the respondent.



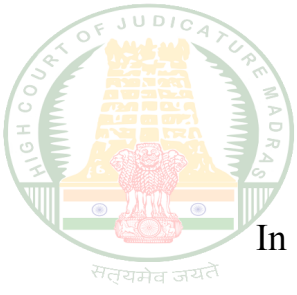
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2. Heard the learned counsel for the appellant and perused the documents

placed on record.

3. The appellant lodged a complaint as against the respondent for offence under Section 138 of Negotiable Instruments Act alleging that the respondent borrowed a sum of Rs. 6 Lakhs and in order to repay the said amount, the respondent issued cheque dated 01.08.2019 for a sum of Rs.6,25,000/-. The said cheque was presented for collection on 24.01.2020 and the same was returned as 'funds insufficient' on 13.02.2010. After causing statutory notice, the appellant filed a complaint. However, it was dismissed only on the ground that the cheque itself is a barred one.

4. Admittedly, the cheque was issued on 01.08.2019 and the same was presented on 24.01.2020 ie., after completion of three months from the date of issuance of a cheque, therefore, as the cheque itself is invalid and since no offence under Section 138 of Negotiable Instruments Act is made out as against the respondent, the trial court has rightly dismissed the complaint and acquitted the respondent, hence, this Court finds no infirmity or illegality in the order passed by the trial court.



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In view of the above, the present appeal is dismissed and the order passed by the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur in C.C.No.488 of 2022 dated 26.06.2024 is confirmed. Consequently, connected miscellaneous petition is closed.

14.08.2025

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

To

The Fast Track Court (Magisterial Level), Alandur



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G.K.ILANTHIRAIYAN, J.

ssd

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