



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

CRL OP No. 23637 of 2025

1. S.Chandran

S/o.Solai Undayar, Masinaickenpatti
P.O, Vazhapadi Taluk, Salem District.

Petitioner(s)

Vs

1. A.Venkatachalapathi

S/o.Annamalai, D.No.17/8, Ram Nagar,
Ayothiyapathinam P.O, Vazhapadi
Taluk, Salem District. (STC.268/2022)

2.S.Selvakumar

S/o.Sellamuthu, Kaliyamman Nagar
Post, Ayothiyapathinam, Vazhapadi
Taluk, Salem District. (STC.269/2022)

3.V.Ramasamy

S/o.Venkatachalam, Masinaickenpatti
P.O, Vazhapadi Taluk, Salem District.
(STC.280/2022)

4.Kabilan

S/o.Deiveega Mannan,



Periyagoundapuram P.O, Karpatty Via,
Vazhapadi Taluk, Salem District.
(STC.272/2022)

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Respondent(s)

PRAYER: Criminal Original Petition filed under section 482 of Cr.P.C., seeking to set aside the returned docket order passed in Unnumbered Crl.M.P.No. of 2025 by the Judicial Magistrate, Vazhapadi dated 15.07.2025 and consequently direct the trial court to decide the case on merits.

For Petitioner(s): M/s.K.Hemanathan

For Respondent:

ORDER

This Criminal Original Petition is filed set aside the returned docket order passed in Unnumbered Crl.M.P.No. of 2025 by the Judicial Magistrate, Vazhapadi dated 15.07.2025 and consequently direct the trial court to decide the case on merits.

2. According to the petitioner, there are four criminal complaints filed against him under section 138 of Negotiable Instruments Act in STC.Nos.268, 269, 270 and 272 of 2022. According to him, since the abovesaid cases arising out of are series of acts combined with one another on sole transaction, the above said cases may be tried in a joint trial as per section 242 and 243 of



BNSS Act, 2023. However, the trial court rejected the request of the petitioner seeking joint trial.

3. On perusal of the order of the trial court, it is seen that STC.Nos.270 of 2022, 268 of 2022, 269 of 2022 are pending at the stage of defence side evidence. Further, STC.No.272 of 2022 is pending for cross examination of PW1. Therefore, the trial in STC.Nos.270 of 2022, 268 of 2022 and 269 of 2022 were substantially commenced and the cases were posted for defence side evidence and in STC.No.272 of 2022, trial has been commenced and the case is at the stage of cross examination of PW1. Further, it is noted that all the four complaints were filed by the different complainants. Therefore, the contention that all the offences to be tried together as per section 242 of the BNSS is misconceived. Since, each complaint has been filed by different persons under the Negotiable Instruments Act, the question of joint trial is misconceived. In such a view of the matter, this criminal original petition is dismissed.

msr

28-08-2025

Index:Yes/No

Internet:Yes



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N.SATHISH KUMAR J.

msr

To

The Judicial Magistrate, Vazhapadi

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