



CrI.O.P.No.25321 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

CrI.O.P.No.25321 of 2025
and CrI.M.P.Nos.17111 & 17112 of 2025

S.Kanagavalli

... Petitioner

Vs.

M.P.Kumaresan

... Respondent

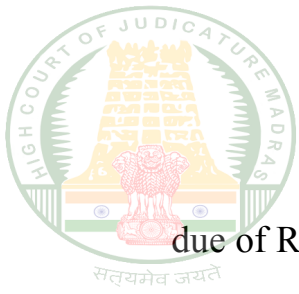
PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to call for the records and quash S.T.C.No.201 of 2025 on the file of the learned Judicial Magistrate, Arni.

For Petitioners : Mr.D.Babu Varadharajan

ORDER

Challenge has been made to the private complaint filed under Section 138 of the Negotiable Instruments Act, 1881.

2. The respondent has filed a private complaint for the alleged dishonour of cheque issued in her favour. It is the contention of the petitioner that there is no privity of contract between the petitioner and the complainant and further, there is no records to show that there was huge



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due of Rs.50 lakhs, therefore, according to him, the private complaint has to

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3. Heard the learned counsel for the petitioner and perused the materials placed on record.

4. At the outset, this Court is of the view that whether or not there is a privity of contract between the parties is a matter of evidence. The petitioner being the accused, the onus lies on the petitioner to rebut the legal presumption attached to the cheque.

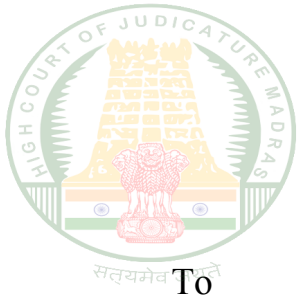
5. Accordingly, I do not find any merits and this petition stands dismissed. Consequently, connected miscellaneous petitions stand closed.

16.09.2025

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Neutral Citation : Yes/No

Internet : Yes/No



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To
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1.The Judicial Magistrate, Arni

2.The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.



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