



Crl.O.P.No.5028 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.02.2025

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5028 of 2025
and
Crl.M.P.Nos.3246 & 3247 of 2025

1.M/s.Cedilla Interactive LLP,
represented by its Director,
Mr.Feroz Pasha.

2.Feroz Pasha,
Director,
M/s. Cedilla Interactive LLP.

3.Manoharan John Samuel,
Director,
M/s.Cedilla Interactive LLP.

address for 1 to 3 are

Door No.2/41, Sriram Nagar Main Road,
Sriram Nagar, Radhakrishnan Nagar,
Thiruvanmiur,
Chennai – 600 041.

.. Petitioners

Vs.

D.Sureshkumar,
Proprietor,
M/s. Eyeda Brand Solutions,
Door No.5F, 5th Floor, J.P.Tower,
7/2, Nungambakkam High Road,
Chennai – 600 034.

.. Respondent



Cr1.O.P.No.5028 of 2025

Prayer: Criminal Original Petition filed under Section 482 of Criminal procedure Code, praying to call for the records in connection with the S.T.C.No.5125 of 2024 on the file of Fast Track Judicial Magistrate Court-II, Egmore at Allikulam, Chennai and quash the same.

For Petitioners : Mr.K.Thiruvengadam

ORDER

This petition has been filed to quash S.T.C.No.5125 of 2024 on the file of Fast Track Judicial Magistrate Court-II, Egmore at Allikulam, Chennai.

2.The petitioners are accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instrument Act. The respondent filed a complaint alleging that the petitioners had placed various advertising orders of the respondent through the company. Accordingly, the respondent used to put advertisements in the leading newspapers, radio and other mode. Accordingly, the respondent raised invoice and had sent to the petitioners for settlement within a credit period of 60 days as per the terms of MOU dated 06.07.2021 and 13.07.2021. On receipt of the invoice, in order to



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settle the amount, the petitioners had issued a cheque for the sum of Rs.1,64,97,662/- and the same was presented for collection on 23.11.2023. However, it was returned due to the reason “Funds Insufficient”. After issuing legal notice dated 13.12.2023 demanding to settle the entire cheque amount, the respondent neither paid the cheque amount and not sent reply. Hence, the petitioners lodged a complaint and the same has been taken offence in S.T.C.No.5125 of 2024.

3.Learned counsel for the petitioners submitted that as per the MOU, there is a specific clause for redressing the issues before the Arbitrator and under the Arbitration and Conciliation Act. On perusal of the MOU, it is noway connected with the offence under Section 138 of the Negotiable Instrument Act. After sending bill by the respondent, the petitioners had issued a cheque and the same was returned on the ground that “Funds Insufficient”.That apart, on receipt of the legal notice as contemplated under Section 138, the petitioners failed to send any reply to the notice. Therefore, there is no ground to quash S.T.C.No.5125 of 2024. The Trial Court is directed to complete the trial within a period of six (6) months from the date of receipt of a copy of this order.



Cr1.O.P.No.5028 of 2025

4.In the result, this Criminal Original Petition is dismissed.

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Consequently, the connected miscellaneous petitions are closed.

24.02.2025

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

- 1.The Fast Track Judicial Magistrate Court-II,
Egmore at Allikulam, Chennai
- 2.The Public Prosecutor,
Madras High Court, Chennai.



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G.K.ILANTHIRAIYAN, J.

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Crl.O.P.No.5028 of 2025

24.02.2025