



Crl.O.P.No.548 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.548 of 2025
and Crl.M.P.No.203 of 2025

1.M/s.Ravi Travels
Represented by its
Proprietor M.Ravirajan, Age 40,
Door No.25/12,
Erikkarai Salai (Corporation Play Ground Opp)
Kottur, Chennai 600 085.

2.M.Ravi Rajan ... Petitioners

Vs

MHA Elavazhagan ... Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS Act, 2023, pleased to set aside the Impugned Order dated 10.10.2024 made in Crl.M.P.No.1837 of 2024 in S.T.C.No.1269 of 2022 on the file of the Judicial Magistrate, Tharangambadi, by appreciating the facts and circumstances of the case.

For Petitioners : Mr.T.Balaji



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ORDER

This Criminal Original Petition has been filed to set aside the Impugned Order dated 10.10.2024 passed in Crl.M.P.No.1837 of 2024 in S.T.C.No.1269 of 2022 on the file of the Judicial Magistrate, Tharangambadi, by appreciating the facts and circumstances of the case.

2. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

3. The respondent/complainant made a private complaint as against the petitioners herein for the offence under Section 138 of the Negotiable Instruments Act and the same was taken on file in S.T.C.No.1269 of 2022 on the file of the learned Judicial Magistrate cum Munsif, Tharangambadi. Subsequently, the respondent/complainant filed Crl.M.P.No.1837 of 2024. The learned Magistrate passed the interim order dated 10.10.2024 directing the petitioner herein to deposit 10% of the cheque amount within a period of 60 days from the date of the order. That is the petitioner herein has to deposit 10% of the cheque



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amount on or before 10.12.2024 itself. Without complying the order of the learned Magistrate and after expiry of the time to deposit the amount, the petitioner has filed this criminal original petition, which is not maintainable. The grounds taken by the petitioner are matter of defence and the same can be decided only after completion of trial, not at this stage. Hence, this Court does not find any merit in the petition

4. In view of the above, this Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

09.01.2025

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

The Judicial Magistrate,
Tharangambadi.



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P.VELMURUGAN, J.

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