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Crl.O.P.Nos.28974 of 2025 etc.,

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2025

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.Nos. 28974, 28976 & 28979 of 2025

and

Crl.M.P.Nos. 19637, 19639, 19643, 19644, 19640 & 19641 of 2025

1.M/s.SISHA International Sea Foods,
A Private limited Company,
Represented by its Director,
G.Mahalakshmi Gnanasekar,
Door No.54, GVT Complex,
Varadharajapuram, Nazarathpettai,
Tiruvallur – 600 123.

2.G.Mahalakshmi Gnanasekar

... Petitioners in all petitions

Vs.

M/s.BMW Global Ventures Pvt. Ltd.,
A Private Limited Company,
Represented by its Director, P.B.Mohideen Abdul Khader,
Having Office at No.G-16B, Phase-I,
Spencer Plaza, Anna Salai,
Chennai – 600002.

... Respondent in all petitions

Common Prayer: Criminal Original Petitions filed under Section 528 of BNSS, 2025, to call for the records of the case in S.T.C.Nos.3513, 3514 & 3512 of 2025 on the file of the learned XXV – Metropolitan Magistrate, Egmore, Chennai and quash the same as illegal.



CrI.O.P.Nos.28974 of 2025 etc.,

For Petitioner
in all petitions : Mr.Sharath Chandran

COMMON ORDER

These Criminal Original Petitions have been filed to quash the proceedings in S.T.C.Nos.3513, 3514 & 3512 of 2025 respectively on the file of the learned XXV – Metropolitan Magistrate, Egmore, Chennai filed for the offence punishable under Section 138 r/w. 142 of the Negotiable Instruments Act, 1881.

2. The learned counsel for the petitioners would submit that though the petitioners have got a good case on merits, they may be permitted to raise those grounds before the Trial Court. However, he would submit that the second petitioner is aged 22 years and she is preparing for UPSC examinations and hence, her personal appearance before the trial Court may be dispensed with, unless her presence is required for the purpose of progress of trial. He would further submit that the second petitioner is also ready to file an affidavit of undertaking that she will be duly represented by a counsel before the Trial Court on all hearing dates and she will be present before the Trial Court for receipt of copies, answering the charges, questioning under Section 313



Crl.O.P.Nos.28974 of 2025 etc.,

Cr.P.C., passing of judgment and for any other purpose, as may be required by the Trial Court for the purpose of progress of trial.

3. This Court is of the view that all the grounds can be raised before the Trial Court and there is no merit in the quash petition.

4. However, accepting the submission made by the learned counsel for the petitioners, the presence of the second petitioner before the Trial Court is dispensed with. She is directed to give an undertaking in the form of affidavit as submitted by the learned counsel for the petitioners at paragraph 2, *supra*. If the second petitioner adopts any dilatory tactics, it is open to the Trial Court to insist for her appearance and deal with her in accordance with the judgment of the Supreme Court of India *in State of Uttar Pradesh Vs. Shambunath Singh*, reported in **2001 (4) SCC 667**.



Crl.O.P.Nos.28974 of 2025 etc.,

WEB COPY 5. Accordingly, these Criminal Original Petitions stand disposed of on the above terms. Consequently, connected Miscellaneous Petitions are closed.

25.10.2025

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Index :Yes/No

Internet:Yes/No

Note: Issue order copy on 29.10.2025



CrI.O.P.Nos.28974 of 2025 etc.,

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To

1.The XXV – Metropolitan Magistrate,
Egmore, Chennai

2.The Public Prosecutor,
High Court, Madras.



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Crl.O.P.Nos.28974 of 2025 etc.,

A.D.JAGADISH CHANDIRA,J.

KKN/cad

Crl.O.P.Nos. 28974, 28976 & 28979 of 2025

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