



Crl.A.No.1093 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 29.07.2025

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.A.No.1093 of 2025

Sri Hariram Agency,

Rep. by its Partner Mr.R.Harikrishnan,

No.5 A West 2nd Cross Street Amaravathy Nagar,

Arumbakkam, Chennai – 600 106.

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Appellant

Vs

1. Galaxy Amaze Kingdom Ltd.,

Rep. by its Chairman and Managing Director,

Galaxy House Aishwarya Garden Campus,

New No.14 Old No.9c Main Street,

Venugopal Nagar ThirumullaiVoyal,

Chennai – 600 062.

2. Mr.M.Palanichamy

3. Mr.R.J.Ramnarayan

4. Mr.BalajiPrakasam

5. Mrs.M.P.Parameswari

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Respondents



Prayer: Criminal Appeal filed under Section 419(4) of BNSS, 2023, to call for the records and set aside the judgment dated 13.09.2024 passed by the Metropolitan Magistrate, Fast Track Court II, Egmore @ Allikulam, Chennai – 03.

For Appellant : Mr.M.Santhanamari
for Mr.Kalyani Kailasam

JUDGMENT

This appeal has been preferred as against the judgment dated 13.09.2024 passed by the Metropolitan Magistrate, Fast Track Court II, Egmore @ Allikulam, Chennai – 03, thereby dismissing the complaint.

2. The appellant lodged a complaint against the respondent for the offence punishable u/s 138 of the Negotiable Instruments Act. The complaint was taken cognizance by the Trial Court in C.C.No.1566 of 2012. However, the appellant/complainant failed to appear before the trial court on 13.09.2024. Hence, the Trial Court dismissed the complaint and acquitted the respondents for the offence punishable u/s 138 of the NI Act.

3. Considering the facts and circumstances of the case, this Court is of the view that the appellant may be given with one more opportunity to put forth the complaint before the Trial Court, since the CC is of the year 2012.



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4. In view of the above, the order dated 13.09.2024 passed by the Metropolitan Magistrate, Fast Track Court II, Egmore @ Allikulam, Chennai – 03, is hereby set aside. The Trial Court is directed to issue fresh summons to the parties, proceed with the trial. The appellant shall co-operate with the Trial Court for the expeditious disposal of the case.

5. In the result, this Criminal Appeal stands allowed. The trial Court is directed to dispose the complaint on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

29.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
bkn

To:

1.The Metropolitan Magistrate, Fast Track Court II, Egmore @ Allikulam, Chennai – 03



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G.K.ILANTHIRAIYAN, J.

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