



Crl.O.P.No.28909 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM:

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28909 of 2025

and

Crl.MP.Nos.20543 and 20544 of 2025

Pathima @ Fathima

... Petitioner

Vs.

Victor Mosass
S/o.Herbert Edwin Manohar Paul,
No.63, 3rd Street, Nalam Nagar,
Vayalur Village,
Thirukazhukundram Taluk,
Chengalpattu.

... Respondents

PRAYER: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the records relating to the C.C.No.191 of 2023 on the file of the District Munsif cum Judicial Magistrate at Thirukazhukundram and to quash the same.

For Petitioner : Mr.R. Mukesh Kannah



CrI.O.P.No.28909 of 2025

ORDER

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This Criminal Original Petition has been filed to quash the complaint filed against the petitioner in C.C.No.191 of 2023, on the file of the District Munsif cum Judicial Magistrate, Thirukazhukundram, for the offence under Section 138 of the Negotiable Instruments Act, 1881, on the ground that the cheque of the petitioner, who is a house wife, has been misused and that the notice has also been served to a false address.

2. This Court is of the opinion that the grounds raised by the learned counsel for the petitioner are matter for trial, which can be raised before the trial Court at the appropriate stage. This Court finds no ground to interfere with the proceedings of the trial Court by invoking Section 482 Cr.P.C./528 of BNSS.

3. Accordingly, this Criminal Original Petition is dismissed. Consequently, the connected Miscellaneous Petition in CrI.M.P.No.20543 of 2025 is closed.

4. However, considering the submission of the learned counsel for the petitioner, the personal appearance of the petitioner before the trial Court is dispensed with except for receipt of copies, answering the charges, questioning under Section 313 Cr.P.C./Section 351 of BNSS, on the date of pronouncing judgment and any other dates as may be required by the trial



Crl.O.P.No.28909 of 2025

Court. It is made clear that the petitioner shall be duly represented by her

counsel on all hearing dates. Accordingly, the Criminal Miscellaneous

Petition in Crl.M.P.No.20544 of 2025, is ordered.

05.11.2025

ksa-2

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

The District Munsif cum Judicial Magistrate

Thirukazhukundram



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Crl.O.P.No.28909 of 2025

A.D.JAGADISH CHANDIRA J.

ksa-2

Crl.O.P.No.28909 of 2025

05.11.2025