



CrI.O.P.No.33370 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.33370 of 2025
and CrI.M.P.Nos.23293 and 23295 of 2025

1. M/s.Abhhijit Infraa Projects Private Limited
Represented by its Director Mr.Abhimanyuu Kejriwal,
Having its registered office at 777/1, Sarat Chatterjee Road,
Shibpur, 2nd Floor, Flat – 2C,
Howrah – 711 101.
 2. Abhimanyuu Kejriwal
Director of M/s.Abhhijit Infraa Projects Private Limited
777/1, Sarat Chatterjee Road,
Shibpur, 2nd Floor, Flat – 2C,
Howrah – 711 101.
- ... Petitioners

Vs.

M/s.Hinduja Leyland Finance Limited
Having their Corporate Office at
No.27A, Developed Industrial Estate,
Guindy, Chennai – 600032.
and Regional Office at No.166 and 169, Anna Salai,
Little Mount, Saidapet, Chennai – 600 015, Tamil Nadu,
Represented by its Authorised Representative
K.Prakash

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records and quash the proceedings against the petitioner pending in STC. No.1958 of 2021, on the file of the learned Metropolitan Magistrate FTC – II, Allikulam, Chennai.

For Petitioners : Ms.K.Jayavarthini

For Respondent : Mr.V.Balasubramani



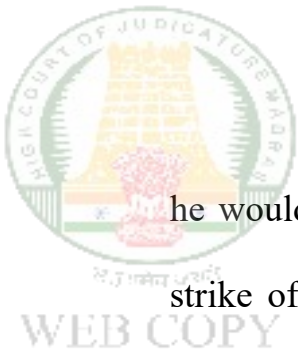
ORDER

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The present criminal original petition has been filed seeking to quash the proceedings against the petitioners pending in STC. No.1958 of 2021, on the file of the learned Metropolitan Magistrate FTC – II, Allikulam, Chennai.

2. The learned counsel for the petitioners would submit that the petitioners are facing trial in STC.No.1958 of 2021 on the file of the learned Metropolitan Magistrate FTC – II, Allikulam, Chennai, for the alleged offence under Section 138 of Negotiable Instruments Act, 1881. The respondent has added the name of the second petitioner twice and thereby, one of the names has to be deleted. He would further submit that the second petitioner has already entered appearance before the trial Court.

3. Mr.V.Balasubramani, learned counsel appearing for the respondent, would submit that the second petitioner has been arrayed in the complaint, one in the capacity of the authorized person who has signed the cheque and another in his individual capacity. He would further submit that the second petitioner is residing at two different addresses and as a matter of abundant caution, he was added one more time as third accused. However,



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he would submit that it is only an irregularity and he will file a memo to strike off the name of the third accused in the cause title before the trial Court who has been shown in his personal capacity. He would submit that the petitioners are non co-operative and delaying the process unnecessarily.

4. Taking into consideration the fact that the learned counsel for the respondent is agreeing to strike off the name of the third accused who has been added in his individual capacity, this Court does not find any further ground to quash the proceedings. However, the learned Metropolitan Magistrate FTC – II, Allikulam, Chennai, is directed to follow the mandate under Section 143 of the Negotiable Instruments Act and complete the trial as expeditiously as possible.

5. Accordingly, this criminal original petition is disposed of. Consequently, the connected miscellaneous petitions stand closed.

08.12.2025

Neutral Citation: Yes/No
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A.D.JAGADISH CHANDIRA, J.

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To

1. The Metropolitan Magistrate FTC – II, Allikulam, Chennai
2. The Public Prosecutor,
High Court of Madras.

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and Crl.M.P.Nos.23293 and 23295 of 2025***

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