

*CrlOP(MD)No.12073 of 2025*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 17.07.2025

CORAM :

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

CrlOP(MD)No.12073 of 2025

and

CrlMP(MD)Nos.9318 and 9319 of 2025

Rajaram

... Petitioner

Vs.

Jeyaseelan

...Respondent

**Prayer :** Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to call for the records relating to the private complaint in STC No.819 of 2024 on the file of the Judicial Magistrate Court, Bodinayakkanur, Theni District and quash the same

For Petitioner : Mr.S.Suriya Narayanan

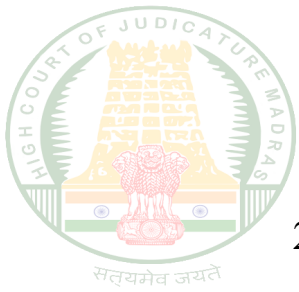
For Respondent : Mr.P.Kottaichamy  
Government Advocate (Crl. Side)

**ORDER**

The petitioner an accused in STC No.819 of 2024 has filed this petition to quash the proceedings pending against him in STC No.819 of 2024 on the file of the Judicial Magistrate Court, Bodinayakkanur,

Theni.

<https://www.mhc.tn.gov.in/judis>



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2.The case of the complainant is that this petitioner has borrowed a sum of Rs.50,000/- from the complainant. In discharge of the said amount, he has issued a cheque, the cheque when presented got dishonoured and after issuing notice to the petitioner as required under Section 138(B) of the NI Act, he has instituted proceedings as against the petitioner in STC No.819 of 2024.

3.The learned Counsel for the petitioner submits that there was a transaction between the petitioner and the complainant's father, for which cheque was issued and this very same complainant has lodged a complaint before the Police in the year 2022. By mentioning these facts, the petitioner has sent a reply to the complainant's notice. However, the complainant without disclosing all these facts and by suppressing the same, has filed the complaint in STC No.819 of 2024. Therefore, he prays to quash the said proceedings.

4. This court considered the submissions of the petitioner.

5.The petitioner is taking a defence that there was a transaction between the petitioner and the father of the complainant. A complaint was lodged, the complainant issued legal notice and it was also replied with by the petitioner. In the complaint filed by the complainant, he has



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not referred to the lodging of police complaint and the reply of the  
petitioner.

6. Mere making allegation in the reply notice is not sufficient to quash the proceedings. The grounds raised by the petitioner can very well be advanced by him before the trial Court by adducing evidence. Therefore, this Court is not inclined to entertain this petition. Accordingly, this petition is dismissed with liberty to the petitioner to raise all the grounds before the trial Court. Consequently connected miscellaneous petitions are closed.

**17.07.2025**

DSK

To

1. The Judicial Magistrate,  
Oddanchatram, Dindigul.
2. The Inspector of Police,  
Ambilikkai Police Station,  
Oddanchatram Taluk,  
Dindigul District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI,J**

DSK

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