



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 31498 of 2025

AND

CRL MP NO. 21654 OF 2025, CRL MP NO. 21656 OF 2025

Parvin Begum

Petitioner(s)

Vs

Elumalai.D

Respondent(s)

PRAYER

This criminal original petition is preferred under section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking to call for the records and quash the STC No.63 of 2024 on file before the Hon'ble Judicial Magistrate Level, Fast Track Court at Ambattur and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): Mr.M.Abivarthan

For Respondent(s): S.Chinnasamy

ORDER

The petitioner / accused who is facing trial in S.T.C.No.63 of 2024 on the file of the Judicial Magistrate Level, Fast Track Court, Ambattur, on a private



complaint under sections 138 and 142 of the Negotiable Instruments Act, 1881, has filed the present criminal original petition seeking to quash the same.

WEB COPY

2.It is the contention of the learned counsel for the petitioner that the petitioner had taken a loan of Rs.4,00,000/- from the respondent and has repaid Rs.3,00,000/-. Thereafter, a police complaint has been lodged by the respondent and in the police station, it was agreed by the petitioner that she would pay Rs.1,00,000/- in instalments of Rs.5000/- each for every month. Suppressing all these facts, the respondent has made a false complaint against the petitioner. It is further contended that there is no material to show as to how the petitioner has been paid the said Rs.4,00,000/-.

3.The learned counsel for the respondent has filed a counter affidavit denying the averments made by the petitioner. It is further submitted that the petitioner has not denied the issuance of cheque or her signature. The respondent has filed the complaint along with the proof affidavit and all the documents have been marked. Now, at the stage of cross examination, the present petition has been filed.

4.This court heard the submissions made by both learned counsel and perused the materials available on record and has considered the submissions of both sides. The dispute between the petitioner and the respondent cannot be decided in the present petition. The case on hand has to be necessarily decided on the basis of the trial. The dispute relating to the money transaction involves



question of fact which requires appreciation of evidence and such disputes can be decided only on a full-fledged trial and cannot be decided in the present proceedings. The petitioner can canvass all points raised before this court during the trial before the trial court. In the light of the above, this court is not inclined to entertain the present original petition. This criminal original petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

08-06-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
vvk

To

The Judicial Magistrate Level,
Fast Track Court,
Ambattur.



WEB COPY

CRL OP No. 31498 of 2025



M.NIRMAL KUMAR J.

vvk

**CRL OP No. 31498 of
2025
AND CRL MP NO.
21654 OF 2025, CRL MP
NO. 21656 OF 2025**

08-06-2026