



*Crl.O.P.(MD).No.5028 of 2026*

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

WEB COPY

DATED: 11.03.2026

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

Crl.OP.(MD)No.5028 of 2026

and

Crl.M.P.(MD).No.5381 of 2026

P.Manivel

...Petitioner/ Accused

Vs

P.Palanivel

... Respondent/Complainant

**PRAYER:** Criminal Original Petition is filed under Section 528 of BNSS Act, 2023, to call for the records in S.T.C.No.241 of 2022 on the file of the Fast Track of Judicial Magistrate, Thanjavur and to quash the case.

For Petitioner : Mr.R.Jeya Revathy

**ORDER**

The present Petition has been filed by the accused in S.T.C.No.241 of 2022 on the file of the Fast Track of Judicial Magistrate, Thanjavur, seeking to quash the criminal proceedings in S.T.C.No.241 of 2022 on the file of the Fast Track of Judicial Magistrate, Thanjavur, which have been initiated under Section 138 of NI Act.



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2. According to the learned counsel appearing for the petitioner, a cheque was issued by the petitioner only as security and amount was not borrowed by the petitioner.

3. Heard the learned counsel appearing for the petitioner and perused the material records.

4. The issue, whether the cheque in question was issued as security is a matter of dispute, which can be determined only during trial. Therefore, the said issue cannot be considered under Section 482 of the Cr.P.C., and there are no merits in this petition. The trial Court is directed to dispose of the case on its merits, without being influenced by any of the observations made by this Court.

5. With the above said observations, this Criminal Original Petition stands dismissed. Consequently, the connected Crl.M.P.(MD).No.5381 of 2026 is closed.

**11.03.2026**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
vsg



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To

- 1.The learned Fast Track of Judicial Magistrate,  
Thanjavur.



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**R.VIJAYAKUMAR, J.**

vsg

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