



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.22293 of 2025

and

CrI.M.P(MD)Nos.19213 of 2025 & 6041 of 2026

1. Balaji

2. Padmavathi

...Petitioners/Accused Nos.1 & 2

Vs

Ramamoorthi

...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to call for the records to the private complaint in CC.No.355/2025 pending on the file of the learned Judicial Magistrate, Aruppukottai, quash the same.

For Petitioners : M/s.D.Lakshmipathy

For Respondent : Mr.M.Thirunavukkarasu

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ORDER

The present petition has been filed by the accused persons in C.C.No.355 of 2025, on the file of the learned Judicial Magistrate, Aruppukkottai, seeking to quash the proceedings initiated under Section 138 of Negotiable Instruments Act.

2. According to the learned Counsel appearing for the petitioners, the statutory notice was issued on 19.06.2025 and it was served on 20.06.2025. Therefore, 15 days time had expired on 04.07.2025. In such circumstances, a complaint should have been lodged within a period of 30 days, namely on or before 04.08.2025. However, the complaint having been filed on 20.08.2025, is beyond a period of limitation and therefore, he seeks to quash C.C.No.355 of 2025.

3. The learned Counsel appearing for the respondent submitted that the cheque was issued on 12.06.2025 and it was presented on 16.06.2025 and it was returned with an endorsement that there are no sufficient funds. Therefore, statutory notice was issued on 19.06.2025 and the notice was served on 20.06.2025. He waited for 15 days i.e., upto 04.07.2025. He has got time to file the complaint till 04.08.2025. However, the complaint was filed on 01.08.2025



itself. He relied upon the e-courts extract and submitted that through e-filing, the complaint was filed on 01.08.2025 and only the physical filing was made on 20.08.2025 and in such circumstances, there is no delay in filing the complaint.

4. The dates and events have been verified by this Court through e-Courts extract and it could be seen that the complaint has been actually filed through e-filing on 01.08.2025 itself. In such circumstances, it is clear that the complaint has been filed within a period of 30 days. In such circumstances, there are no merits in the petition and therefore, it is liable to be dismissed.

5. Considering the age of the second petitioner/A2, her personal appearance shall stand dispensed with unless it is specifically directed by the trial Court.

6. With the above said observations, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are also closed.

25.03.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

To

The learned Judicial Magistrate,
Aruppukottai.

Crl.OP.(MD)No.22293 of 2025

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