

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

CrI.R.C.No.714 of 2015

A.Kurshith Begam

.. Petitioner/Petitioner/
Complainant

vs.

1.J.Yasmin
2.Rishwana

.. Respondents/Respondent/
Accused

Criminal Revision filed under Section 397 and 401 Cr.P.C. against to set aside the order dated 05.06.2015 made in C.M.P.No.1271 of 2014 in S.T.C.No.unnumbered of 2015 on the file of the Judicial Magistrate, Fast Track Court, Attur.

For Petitioner: M/s.T.Meganathan

For Respondent: No Appearance for R1 and R2

O R D E R

The revision is preferred against the order of learned Judicial Magistrate, Fast Track Court, Attur, passed in C.M.P.No.1271 of 2014 in S.T.C.No.unnumbered of 2015 on 05.06.2015, dismissing a petition seeking condonation of 286 days delay in preferring a complaint for offence under section 138 of Negotiable Instruments Act.

2. Heard learned counsel for petitioner. Though respondents have been served, there is no appearance on their behalf.

3. The reason put forth by the petitioner towards explaining the delay viz., that the instrument was misplaced, is not totally untenable. For the said reason, this Court is inclined to allow this revision by imposing costs.

4. The criminal revision is allowed. The order of learned Judicial Magistrate, Fast Track Court, Attur, passed in C.M.P.No.1271 of 2014 in S.T.C.No.unnumbered of 2015 on 05.06.2015, is set aside. The petitioner is directed to pay a sum of Rs.5,000/- (Rupees five thousand only) to the Tamil Nadu

State Legal Services Authority within a period of two weeks from the date of receipt of this order. Upon the petitioner producing the proof thereof, the Court below shall entertain the complaint and deal with the same on merits.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Fast Track Court, Attur.
2. The Member Secretary, Tamil Nadu State Legal
Services Authority, High Court, Madras.

+ 1 cc to Mr.T. Meganathan, Advocate Sr.63259

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PR(CO)
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