

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.1632 of 2016

V.Murugan

S/o.Late Vellaysamy

... Petitioner

Vs.

R.Gopala Krishnan

S/o.Ramasamy

... Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the order of learned Judicial Magistrate II, Hosur, passed in S.T.C.No.246 of 2016 on 11.07.2016.

For Petitioner : Mr.R.Muniyapparaj

ORDER

This revision arises against the order of learned Judicial Magistrate II, Hosur, passed in S.T.C.No.246 of 2016 on 11.07.2016, dismissing a complaint preferred u/s.138 of the Negotiable Instruments Act.

2. Heard learned counsel for petitioner.

3. A perusal of the order under challenge reveals that the complaint of the petitioner stands dismissed for non-appearance of the complainant. There is also failure to take steps towards execution of warrant issued against the respondent/accused. This Court, in circumstance where the accused has thus far not appeared before the Court below, is of the view that interests of justice would be met by affording one further opportunity to petitioner/complainant.

Accordingly, the Criminal Revision Case is allowed. The order of learned Judicial Magistrate II, Hosur, passed in S.T.C.No.246 of 2016 on 11.07.2016, is set aside. The complaint in S.T.C.No.246 of 2016 shall stand restored to file. Petitioner shall be upon duty to take steps for execution of warrant issued against the respondent. Any further delay in the conduct of the case may be viewed seriously.

16.12.2016

Index:yes/no
Internet:yes/no
gm

To

The Judicial Magistrate II,
Hosur.

C.T.SELVAM, J

gm

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