

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.21 of 2016
and
Crl.M.P.No.146 of 2016

M.M.Ennamullah
S/o.M.M.Asrafullah ... Petitioner/Appellant

vs.

E.Chandrasekar
S/o.Ethirajulu Naidu ... Respondent/Respondent

Criminal Revision filed under section 397 & 401 of the Code of Criminal Procedure, against the order of learned Additional District Judge, Krishnagiri, Krishnagiri District, passed in Crl.M.P.No.115 of 2015 in Crl.A.No.48 of 2015 on 10.12.2015.

For Petitioner : Mr.K.Selvarangan

ORDER

This revision arises against the order of learned Additional District Judge, Krishnagiri, Krishnagiri District, passed in Crl.M.P.No.115 of 2015 in Crl.A.No.48 of 2015 on 10.12.2015.

2. Petitioner faced trial in C.C.No.904 of 2014 on the file of learned Judicial Magistrate II, Krishnagiri, for offence u/s.138 of the Negotiable Instruments Act. On appreciation of materials before it, the trial Court, under judgment dated 07.07.2015, convicted the petitioner and sentenced him to 12 months S.I. Against such finding, petitioner preferred C.A.No.48 of 2015 on the file of learned Additional District Judge, Krishnagiri. Pending such appeal, petitioner filed a petition u/s.391 Cr.P.C. to receive a letter issued by City Union Bank. Appellate Court has dismissed such petition on the reasoning that the document filed by the petitioner could not be received as additional evidence. Hence, this revision.

3. Heard learned counsel for petitioner.

4. It is noticed that the petitioner has sought to mark his communication to his banker requiring stop payment on presentation of cheques at the fag end of proceedings. The matter is now standing at the stage of arguments.

This Criminal Revision shall stand dismissed with an observation that it would be open to the petitioner to raise contentions of having give stop payment instructions to his banker much before the cheque was presented and therefore, the cheque of the year 2012 could not be that issued by petitioner. Such as also other contentions raised shall be dealt with by the appellate Court solely upon merits. Consequently connected miscellaneous petition is closed.

sd/-

Assistant Registrar (Cs-IV)

/TRUE COPY/

Sub-Assistant Registrar

gm

To

The Additional District Judge,
Krishnagiri,
Krishnagiri District.

+1 CC to MR.K.Selvarangan Advocate. SR.NO. 2820

Cr1.R.C.No.21 of 2016

CO-MSM

JD 19/01/2016

सत्यमेव जयते

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