



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

C.R.L.RC(MD) No.150 of 2013

and

M.P.(MD) Nos.1 & 2 of 2013

P.Raja Samuel

... Petitioner / Petitioner /
Accused

-vs-

Chetna U.Jain

rep.by through her Power Agent

C.Uttam Chard Jain

... Respondent / Respondent /
Complainant

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the records and set aside the order passed in Cr.M.P.No.5666 of 2012 in S.T.C.No.42 of 2011, dated 04.01.2013, on the file of the Judicial Magistrate Court No.IV, Tirunelveli.

For Petitioner: Mr.H.Arumugam

For Respondent: No appearance

O R D E R

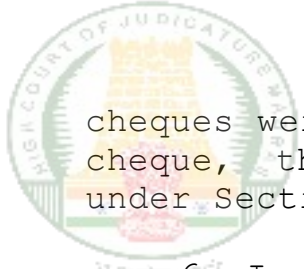
The accused in S.T.C.No.42 of 2011 challenges the dismissal of his Cr.M.P.No.5666 of 2012, on the file of the learned Judicial Magistrate No.IV, Tirunelveli.

2. He sought for clubbing of the said case with S.T.C.No.41 of 2011, which was filed as against his wife.

3. The learned counsel for the petitioner contended that the husband and his wife have borrowed money at the same time from the respondent. In such circumstances, both the cases are required to be clubbed.

4. I have considered the submissions of the learned counsel for the petitioner, perused the impugned order and also the materials on record.

5. The accused in both S.T.Cs., are husband and wife. They have chosen a single lender. Here there are two borrowers. The <https://hcrs.courts.mys/hcrs/cases/> based on a pro-notes. The husband and his wife issued separate cheques in discharge of pro-notes. Ofcourse, the accounts maintained by them are in different Banks. Both the



cheques were bounced. In such circumstances, for bouncing of each cheque, the respondent instituted separate private complaints under Section 138 N.I.Act.

6. In such circumstances, the Trial Court has rightly refused to club them. However, he had directed conducting of simultaneous trial of both the cases, so that the contentions placed by the husband and wife in both the cheque bouncing cases could be properly appreciated. In such circumstances, we find no impropriety in the order passed by the learned Magistrate.

7. In view of the above, this revision fails and it is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

/True copy/

Sub Assistant Registrar

To:
The Judicial Magistrate Court No.IV,
Tirunelveli.

+1cc to Mr.H.Arumugam, Advocate SR.No.29090

sm:SK-SKN:16.06.2016:2P/3C

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