

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM  
Crl.R.C.No.69 of 2017

M/s.Lakshmi Electrical Drives Limited,  
Textiles Division,  
Sun Spintex,  
Rep. by its Senior Officer - Marketing,  
Mr.K.Jayakumar,  
Regd. Office:504 Avanashi Road,  
Peelamedu,  
Coimbatore 641 004. ... Petitioner/Complainant

vs.

1.M/s.The Orange Apparels,  
Rep. by its Partner/  
Authorised Signatory  
Mr.Dinesh Kumar.

2.Mr.Dinesh Kumar,  
Partner/Authorised Signatory,  
M/s.The Orange Apparels. ... Respondents  
The Address of both the parties are  
S.F.No.543/3A, Ganapathy Nagar  
Naorpalayam Road, Panapalayam Palladam  
Coimbatore District

Criminal Revision filed under Section 397 and 401 Cr.P.C.  
against the order dated 21.10.2016 passed in Cr.M.P.No.55 of  
2015 in unnumbered C.C.No.-- of 2014 on the file of the learned  
Judicial Magistrate I, Tiruppur.

For Petitioner : Mr.N.S.Sivakumar

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O R D E R

This revision has been filed against the order dated  
21.10.2016 passed in Cr.M.P.No.55 of 2015 in unnumbered  
C.C.No.-- of 2014 on the file of learned Judicial Magistrate I,  
Tiruppur seeking condonation of delay in representing complaint  
under Section 138 of Negotiable Instruments Act.

2.Heard learned counsel for petitioner.

3.Taking note of submission of learned counsel for petitioner that the complaint case had not been taken cognizance of and the complaint, though presented within time, suffered a delay in representation, which has not been condoned, this Court considers and it appropriate to set aside the order under challenge subject to condition that petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the Tamil Nadu State Legal Services Authority on or before 27.01.2016.

4.The petitioner shall present the complaint before the Court along with a copy of the order within a period of ten days of receipt of copy of the order. On production of proof of payment and the copy of the order, the Court below shall take the complaint on file and proceed in accordance with law.

The Criminal Revision Case shall stand allowed. The order of learned Judicial Magistrate I, Tiruppur passed in Cr.M.P.No.55 of 2015 in unnumbered C.C.No.-- of 2014 dated 21.10.2016, shall stand set aside.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Judicial Magistrate No.I,  
Tiruppur.

+1 cc to Mr.N.S.Sivakumar Advocate sr 3486/16

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