

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13..12..2017

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Criminal Revision Case No.1229 of 2012

S.Jayaprakash

... Petitioner

-Versus-

Raja

... Respondent

Criminal Revision filed under Section 397 r/w 401 of Cr.P.C. praying call for the records relating to the case in C.A.No.58 of 2010 from the file of the learned Additional Sessions Judge, Krishnagiri, and set aside the judgment dated 02.08.2012 made in C.A.No.58 of 2010 by the learned Additional Sessions Judge, Krishnagiri, confirming the judgment of conviction and sentence imposed by the learned Judicial Magistrate-II, Hosur, by judgment dated 25.08.2010 in S.T.C.No.1530 of 2009.

For Petitioner : Mr.A.Balamurugan

For Respondent : No Appearance

ORDER

The petitioner is the sole accused in S.T.C.No.1530 of 2009 on the file of the learned Judicial Magistrate-II, Hosur. The trial court, by judgment dated 24.08.2010, found the accused guilty under Section 138 of The Negotiable Instruments Act. The accused was accordingly convicted and sentenced to undergo rigorous imprisonment for six months and to pay a fine of Rs.3,000/- in default to suffer simple imprisonment for a further period of two months. On appeal by the accused in C.A.No.58 of 2010, the learned Additional Sessions Judge, Krishnagiri, confirmed the conviction and sentence of the accused by judgment dated 02.08.2012. Further, aggrieved by the same, the accused is before this court with this revision case.

2. Earlier, when the matter came up for hearing, there was no representation for the petitioner and therefore, this court ordered a notice to be served on the petitioner.

3. Today, a report received from the learned Judicial Magistrate No.II, Hosur, has been placed before this court along with a letter submitted by the Inspector of Police, Hosur Police Station attaching a copy of the death certificate of the sole accused-Jayaprakash, who is the revision petitioner herein. The report of the learned Magistrate supported with a copy of the death certificate show that the sole accused died as early as on 12.03.2013.

4. In the light of the above position, the criminal revision case is dismissed as abated.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Additional Sessions Judge, Krishnagiri
- 2.The Judicial Magistrate-II, Hosur.

Copy to: The Record Keeper,
VR Section, High Court, Madras.

Cr1.R.C.No.1229 of 2012

SS(CO)
EU(16/02/2018)

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