

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Criminal Appeal.No.407 of 2007

M/s Thirunindra Narayanan Finance Ltd.
Rep by Executive Director A.K.Prabakar
No.64, IV Avenue, Ashok Nagar,
Chennai - 83.

.. Appellant

Versus

1. Mr.Veerapandian
2. Mrs.V.Christy

.. Respondents

PRAYER:Criminal Appeal filed under Section 378 of the Criminal Procedure Code, to set aside the order of acquittal passed by the XVII Metropolitan Magistrate, Saidapet, Chennai in C.C.No.6699 of 2002 in order dated 19.02.2007 and punish the respondents under Section 138 of N.I Act with maximum imprisonment and also grant compensation under Section 357 Cr.P.C.

For Petitioner :: No Appearance

For Respondents :: L.Baskaran

ORDER

There is no representation on behalf of the appellant. On 13.11.2018, the Honourable Mr.Justice M.Dhandapani, had observed that the counsel for the appellant was absent and appeal is to be posted under the caption 'for Dismissal'. On 15.11.2018, the matter has been listed before this Court. Even earlier on 24.04.2018, it had been noted that the learned counsel for the appellant was absent. As a matter of fact, both the counsels were absent. Today the learned counsel for the respondent is present.

2. This Criminal Appeal arise from proceedings under Section 138 of Negotiable Instruments Act. The proceedings in C.C.No.6699 of 2002 on the file of the XVII Metropolitan Magistrate Court, Saidapet, Chennai, had been initiated by

M/s Thirunindra Narayanan Finance Limited, against two accused namely, Veerapandian and his wife V.Christy. By Judgment dated 19.02.2007, the Calender Case was dismissed and accused were acquitted. Challenging that, the complainant had filed the present appeal.

3. The learned counsel for the appellant had drawn the attention of this Court to judgment in Crl.A.No.880 of 2004 dated 09.11.2017 passed by Honourable Mr.Justice V. Bharathidasan. That Criminal Appeal also related to M/s Thirunindra Narayanan Finance Limited. That was filed against two other accused namely, Jayapandian and Esther.

4. The learned counsel for the respondent herein stated that the said Crl.A.No.880 of 2004 had been dismissed by Judgment dated 09.11.2017. Thereafter, there has been no representation on behalf of the appellant with respect to other Criminal Appeals filed by the same appellant. I am not going into the merits since there is no representation. The Crl.A.No.407 of 2007 is dismissed for non-prosecution. No costs.

Sd/-

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

smv

The XVII Metropolitan Magistrate, Saidapet, Chennai

+1cc to Mr.L.Baskaran , Advocate SR.No. 80169

Crl.A.No.407 of 2007

ASK(14/12/2018)