

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:31.01.2018

CORAM

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

Crl.Appeal No.898 of 2007

Chandrasekaran

... Appellant/Complainant

Vs

V.Jayalakshmi

... Respondent/Accused

Prayer: Criminal appeal preferred under Sec.378 of the Code of Criminal Procedure, against the order made in C.C.No.49 of 2006 on the file of the Judicial Magistrate, Tiruchengode, dated 19.07.2007.

For Petitioner : Mr.V.Balamurugan

For Respondent : No Appearance

JUDGMENT

This Criminal Appeal has been filed by the petitioner/defacto complainant challenging the order of acquittal passed by the Judicial Magistrate, Tiruchengode, in C.C.No.49 of 2006 dated 19.07.2007.

2. The learned counsel for the appellant/complainant submits that the appellant herein was regularly attending the Court and he was not able to be present on that day. The Court below erred in dismissing the complaint on the ground that the complainant presence is necessary. Hence he prays for allowing the appeal.

3. Heard, Mr.V.Balamurugan, the learned counsel appearing for the petitioner and there is no representation on behalf of the respondent.

4. In view of the above, this Criminal Appeal is allowed. The learned Judicial Magistrate, Tiruchengode is directed to dispose of the complaint in C.C.No.49 of 2006 within a period of three months from the date of receipt of a copy of this order, without giving any adjournments to either parties. Both the parties are hereby directed to give their fullest co-operation for early disposal of the case. The appearance of the

respondent/accused is dispensed with except for the hearing of the accused directed by the learned Judicial Magistrate, Tiruchengode. After disposal of the above criminal appeal, the Judicial Magistrate, Tiruchengode, is directed to send a report to this Court, within a period of ten days from the date of judgment.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar
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To

- 1.The Judicial Magistrate, Tiruchengode.
- 2.Do-Through The Chief Judicial Magistrate, Nammakal District.
- 3.The Registrar(Judicial), High Court Madra.
- 4.The Section Officer, Criminal Section, High Court Madras.

+1cc to Mr.V.Balamurugane, Advocate, S.R.No.7128

EV(CO)
RRK(05/02/2018)

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