

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2018

Coram

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

Crl.A.Nos.823 & 824 of 2006

Crl.A.No.823 of 2006

M/s.Apple Credit Corporation Ltd,
No.64, Cathedral Road,
Chennai - 86,
Rep by its officer Legal
Mr.L.Anthoni Raj Appellant/ Complainant

vs

Thillai Villalan Respondent/Accused

Prayer : Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the order dated 11.03.2005 passed in C.C.No.3955 of 1999 by the learned XVIII Metropolitan Magistrate at Saidapet, Chennai.

Crl.A.No.824 of 2006

M/s.Apple Credit Corporation Ltd,
No.64, Cathedral Road,
Chennai - 86,
Rep by its officer Legal
Mr.L.Anthoni Raj ... Appellant/ Complainant

vs

1.Mrs.Padmapriya

2.Mr.Thillai Villalan Respondents/Accused

Prayer : Criminal Appeal filed under Section 378 of the Code of Criminal Procedure to set aside the order dated 11.03.2005 passed in C.C.No.2128 of 1998 by the learned XVIII Metropolitan Magistrate at Saidapet, Chennai.

For Appellant : Mr.S.Venkatesan
(for both appeals)

For respondent: No Appearance

COMMON JUDGMENT

These Appeals have been filed against the orders of acquittal dated 11.03.2005 passed in C.C.Nos.3955 of 1999 and 2128 of 1998 under Section 138 of Negotiable Instruments Act, by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai.

2.The appeals were filed in the year 2006. In CrI.A.Nos.823 and 824 of 2006 this Court has already ordered notice to the respondents on 11.10.2006 and 16.10.2016. In CrI.A.No.824 of 2006, this Court also permitted the appellant to take private notice. Notices sent to the respondents were returned with the endorsements "not known" and "no such person".

3.Apart from this, the learned XVIII Metropolitan Magistrate, Saidapet, Chennai informed this Court by letter dated 06.10.2015 that the material records in C.C.Nos. 3955 of 1999 and 2128 of 1998 have already been destroyed.

4.Though the appeals are pending from the year 2006, the appellant has not taken any steps to proceed with the cases and as on date there was no service on the respondents.

As the appeals are pending for more than 11 years without any progress, this Court is inclined to dismiss the appeals. Accordingly, both the Criminal Appeals are dismissed.

सत्यमेव जयते Sd/-

Assistant Registrar(CS II)

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Sub Assistant Registrar

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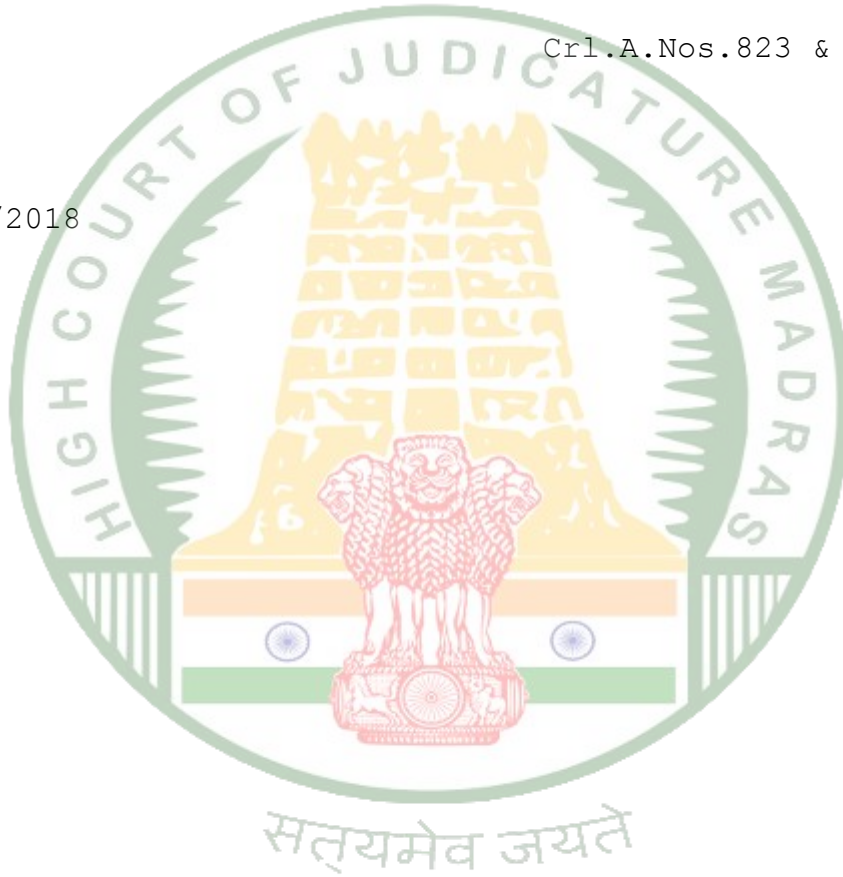
To

1.The Metropolitan Magistrate No.XVIII,
Saidapet, Chennai.

2.The Section Officer,
Criminal Section,
High Court, Madras.

Crl.A.Nos.823 & 824 of 2006

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srg 22/05/2018



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