



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.R.C. (MD) No.170 of 2018

T.Thanapaul : Petitioner / Complainant

-Vs.-

C.Chandrasekar @ Sekar : Respondent / Accused

Prayer: Criminal Revision Case is filed under Sections 397 and 401 Cr.P.C., to revise the judgment 25.02.2009 made in S.T.C.No.2209 of 2005 on the file of the Principal District Munsif cum Judicial Magistrate, Eraniel, Kanyakumari District and enhance the sentence and grant adequate compensation under Section 357 Cr.P.C..

For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondent : No appearance

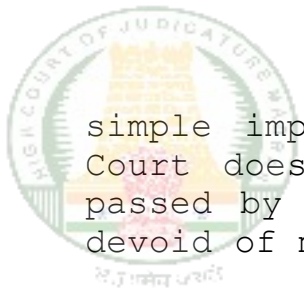
ORDER

For the sake of convenience, the parties will be referred to as the complainant and the accused.

2. The complainant initiated a prosecution in S.T.C.No.2209 of 2005 before the learned District Munsif cum Judicial Magistrate, Eraniel, under Section 138 of the Negotiable Instruments Act, 1881, against the accused, in which, the accused was convicted on 25.02.2009 and was sentenced to undergo three months simple imprisonment. Aggrieved by the quantum of sentence imposed by the trial Court, the complainant has filed the present Criminal Revision Case with a huge delay of 420 days. Therefore, the complainant has filed M.P.(MD)No.1 of 2010 in Crl.R.C.No.SR17690 of 2010 under Section 5 of the Limitation Act for condonation of delay.

3. This Court has condoned the delay today and has taken up the main revision case for hearing.

4. It is seen that the accused faced a prosecution from the year 2005 to 2009 and has been sentenced to undergo three months



simple imprisonment, which cannot be said to be very low. This Court does not find any illegality or impropriety in the order passed by the Court below. Hence, this Criminal Revision Case is devoid of merits and the same is dismissed.

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Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Principal District Munsif cum Judicial Magistrate,
Eraniel,
Kanyakumari District.

Sm

AE/KKR/SAR3/17.04.2018/2P/2C

Order made in
Cr1.R.C. (MD) No.170 of 2018
22.03.2018