

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Monday, the Seventh day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.147 of 2019

IN CRL.RC.NO.1389 OF 2013

ABDUL GAFFOOR @ BABU

[ PETITIONER ]

Vs

A.P.SASIKUMAR

[ RESPONDENT ]

Petition praying that in the circumstances stated therein the High Court will be pleased to condone his failure to appear on 02.01.2019 before the learned Judicial Magistrate / Fast Track Court No.2 (Magistrate level), Coimbatore as per the order dated 08.11.2013 made in M.P.No.1 of 2013 in Crl.RC.No.1389 of 2013 passed by this Honble Court.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.N.MANOKARAN Advocate for the petitioner and of MR.A.M.KRISHNAMOORTHY Advocate on behalf of the Respondent the court made the following order:-

It is seen that the petitioner was convicted and sentenced by the Trial Court under section 138 of the Negotiable Instruments Act, which has been confirmed by the Appellate Court. Challenging which, he filed Crl.RC.No.1389 of 2013 and in M.P.No.1 of 2013, the sentence was suspended and the petitioner was released on bail on condition that he should appear before the Trial Court on the first working day of every month. The petitioner was appearing before the Trial Court regularly, however, he failed to appear on 02.01.2019, since he underwent a leg surgery.

2 Therefore, the petitioner has filed this present application for condoning his absence before the Trial Court on 02.01.2019.

Accepting the reasons given by the learned counsel appearing for the petitioner, this petition is allowed and the absence of the petitioner on 02.01.2019 stands condoned.

-sd/-

07/01/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
FAAST TRACK COURT NO.2,  
[MAGISTRATE LEVEL],  
COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE  
COIMBATORE [FOR INFORMATION]

C.C. to M/S.N.MANOKARAN Advocate on payment of necessary charges

C.C. to M/S.A.M.KRISHNA MOORTHY Advocate on payment of necessary charges

Order

in  
CRL MP.147/2019

IN CRL.RC.NO.1389 OF 2013

Date : 07/01/2019

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RD 22/01/2019