

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 04.02.2019

Coram:

The Hon'ble Dr.Justice G.Jayachandran

Crl.R.C.No.191 of 2019

M/s India Agro Exports (P) Ltd.,
Rep.by its Admin Manager,
Mr.K.Rajangam,
No.15, Race Course Road,
Guindy, Chennai-12. .. Petitioner

/versus/

Mr.A.M.Jayashankar .. Respondent

Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code praying to set aside the order dated 23.08.2018 made in Crl.M.P.No.4017 of 2017 passed by the learned Fast Track Court No.II, M.M.Egmore-600 008 now at Allikullam dismissing the condone delay petition in filing the complaint under Section 138 of the Negotiable Instrument Act 1881.

For Petitioner :Mr.K.Thangarasu

ORDER

Heard both sides and perused affidavit filed with the petition and the impugned order.

2. The petitioner herein wants to initiate private complaint against the respondent under Section 138 of the Negotiable Instrument Act with delay of 432 days. The reason assigned by the petitioner is that the records were misplaced during the renovation of the office. Therefore, he could not initiate action within the time prescribed under the statute. The petitioner is a Corporate Entity and the cheque amount is Rs. 7,75,501/-. When the amount is so high, it is unbelievable that the petitioner has failed to initiate the action immediately after the cause of action arose to file the complaint. The trial Court has rightly considered the contention of the petitioner and having not been satisfied with the reasons assigned in the petition to condone delay, the trial Court has rightly dismissed the condone delay petition.

3. This Court finds no reason to differ from the view expressed by the Courts below. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

The Fast Track Court No.II, M.M.Egmore-600 008 now at Allikullam.

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A.SK(06/03/2019)



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