



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2019

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN
Crl.R.C.Nos.305 to 308 of 2019
and
CRL.MP.Nos.3665 & 3670 of 2019

M/s.Thangappa Firms,
Proprietor, C.Chinraj
Nall Road, Erode Road,
Perundurai, Erode District.

...Petitioner/Respondent/
Complainant in Crl.RC.305/2019
& 307/2019

Vs.

G.Karthikeyan

...Respondent/Appellant/
Accused in Crl.RC.305/19 &
307/2019

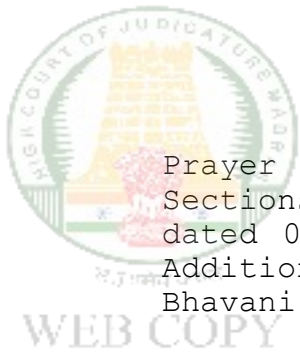
M/s.Thangappa Firms Proprietor
C.Chinrai, M/52 Nall Road
Erode Road Perundurai
Erode District

...petitioner/Respondent/
Respondent in Crl.RC.No.
306/2019 & 308/2019

G.Karthikeyan M/40 S/o.Govindasamy
Proprietor Shri BalajiWealth Management
D.No.60/61, Selvam Nagar,
Erode-648 011

...Respondent/Petitioner/
Appellnt in Crl.RC.No.306/2019
& 308/2019

Prayer in Crl.RC.No.305/2019:- Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the Judgment of C.A.No.102/2016 dated 04.01.2019 on the file of IV Additional District and Sessions Judge, Erode District at Bhavani by remanding the matter to the trial Court filed against the judgment dated 25.04.2016 passed in STC.No.448/2013 on the file of Judicial Magistrate (FTC-II) Erode and to allow the above Criminal Revision.



Prayer in Crl.RC.No.306/2019:- Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the order dated 04.01.2019 passed in CMP.No.95 of 2016 on the file of IV Additional District and Sessions Judge, Erode District at Bhavani and to allow the above Criminal Revision.

Prayer in Crl.RC.No.307/2019:- Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the Judgment of C.A.No.101/2016 dated 04.01.2019 on the file of IV Additional District and Sessions Judge, Erode District at Bhavani by remanding the matter to the trial Court filed against the judgment dated 25.04.2016 passed in STC.No.447/2013 on the file of Judicial Magistrate (FTC-II) Erode and to allow the above Criminal Revision.

Prayer in Crl.RC.No.308/2019:- Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the order dated 04.01.2019 passed in CMP.No.130 of 2016 in C.A.No.102/2016 on the file of IV Additional District and Sessions Judge, Erode District at Bhavani and to allow the above Criminal Revision.

For Petitioner : R.Nalliyappan

C O M M O N O R D E R

These Criminal Revision Cases have been filed to set aside the order dated 04.10.2019 passed in C.A.Nos.101 of 2016, 102 of 2019 and CMP.Nos.95 & 130 of 2016 in C.A.Nos. 101 & 102 of 2016 respectively on the file of the learned IV Additional District and Sessions Judge, Erode District, Bhavani.

2. The Revision petitioner is the complainant and the respondent is the accused. The revision petitioner filed private complaints under Sections 200 Cr.P.C., for the offence under Section 138 of Negotiable Instruments Act before the learned Judicial Magistrate (FTC II), Erode in STC.Nos.447 and 448 of 2013. After trial, the learned Judicial Magistrate found guilty of the respondent herein for the offence under Section 138 of Negotiable Instruments Act and convicted and sentenced him to undergo one year Simple Imprisonment and fine of Rs.5,000/-, in default, one month Simple Imprisonment, against which, the respondent herein/accused filed the appeals before the learned Principal District and Sessions Judge, Erode District at Bhavani in Crl.A.Nos.101 & 102 of 2016. During the pendency of the above appeals, the respondent filed petitions under Sections 391 Cr.P.C., to record the Additional evidence in CMP Nos.95 & 130 of 2016. The learned IV Additional District and Sessions Judge, Erode, after hearing the arguments, allowed both CMP Nos.95 & 130 of 2016 and Appeals by setting aside the judgment passed by the trial Court and remanded back the matters



STC.No.447 & 448 of 2013 in accordance with law. Consequently, connected miscellaneous petitions are also closed.

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Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

kmi

To

1.The Judicial Magistrate,
Fast Track Court - II,
Erode.

2.The IV Additional District Judge, and sessions Judge
Erode District.

+4 ccs to Mr.R.Nalliyappan Advocate sr 23265,
23268,23269 & 23270

Crl.R.C.No.305 to 308 of 2019

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