

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.R.C.No.606 of 2019
and
Crl.M.P.Nos.8292 & 8294 of 2019

M.Selvam .. Petitioner/Accused

Vs.

M/s.Naren Engineers,
Represented by its proprietor,
C.Partheeban,
No.2-98, Ammasai Gounder Street,
Vellakinaru post,
Coimbatore-641029. .. Respondent/Accused

Criminal Revision filed under Section 397 r/w 401 Cr.P.C.,
to set aside the order dated 24.12.2018 passed in C.M.P.No.13182
of 2018 in C.C.No.1075 of 2017 on the file of the Judicial
Magistrate No.II, (Fast Track Court) at Magisterial Level,
Coimbatore.

For Petitioner : Mr.C.Veeraraghavan

O R D E R

This criminal revision petition has been filed seeking to
set aside the order dated 24.12.2018 passed in C.M.P.No.13182 of
2018 in C.C.No.1075 of 2017 on the file of the Judicial
Magistrate No.II, (Fast Track Court), Coimbatore.

2. The petitioner is facing prosecution in C.C.No.1075 of
2017 under Section 138 of the Negotiable Instruments Act, 1881.
The petitioner filed C.M.P.No.13182 of 2018 in C.C.No.1075 of
2017 under Section 45 of the Evidence Act, which has been
dismissed by a cryptic order "Hence dismissed" dated 24.12.2018,
challenging which, the petitioner is before this Court.

3. Heard Mr.C.Veeraraghavan, learned counsel for the
petitioner.

4. On verification, it is found that the learned Magistrate has not passed any detailed order in the said petition. He has merely dismissed the petition by two word order.

In view of the above, this criminal revision petition is allowed and the order dated 24.12.2018 passed in C.M.P.No.13182 of 2018 in C.C.No.1075 of 2017, is set aside. The learned Magistrate is directed to dispose of the petition in CrI.M.P.No.13182 of 2018, on merits after hearing either side. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

nsd

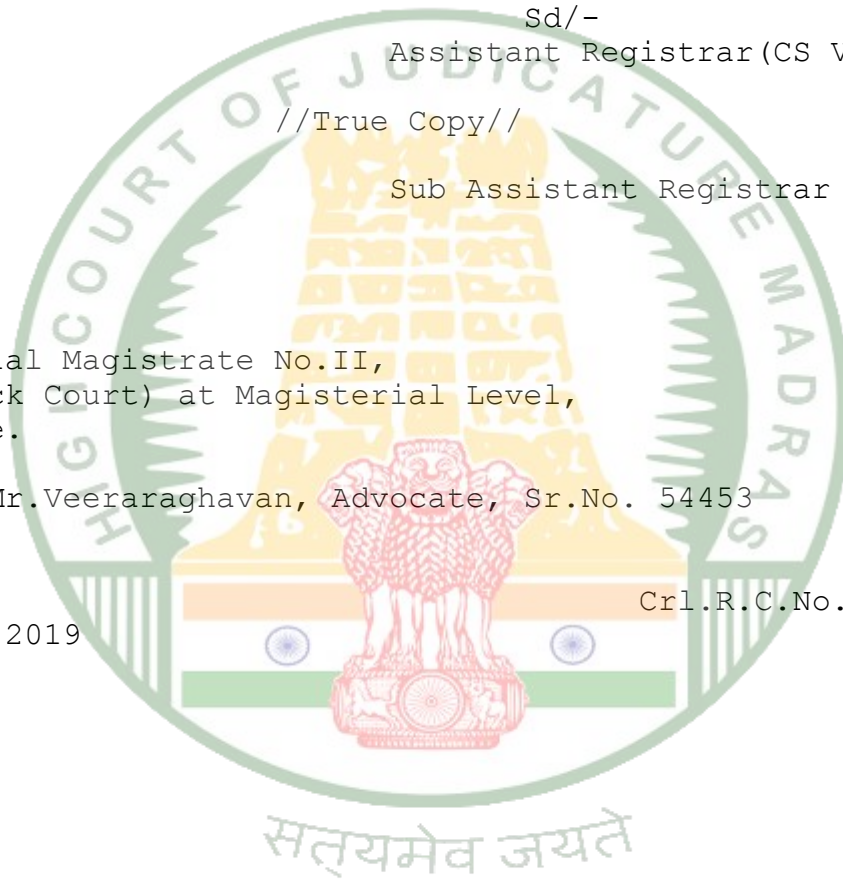
To

The Judicial Magistrate No.II,
(Fast Track Court) at Magisterial Level,
Coimbatore.

+1 cc to Mr.Veeraraghavan, Advocate, Sr.No. 54453

CSL/03.07.2019

CrI.R.C.No.606 of 2019



WEB COPY