

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.A.No.40 of 2003

Mrs. V.K.Subramaniam & Brothers,
rep. By its Partner
V.K.Mohana Sundaram ... Appellant

Vs.

M.S.Natarajan Proprietor
M/s.Nutex Fabrcs,
18, Dr.Radhakrishnan Nagar,
2nd Street, Old Washermenpet,
Madras-21. ... Respondent

PRAYER: This Criminal Appeal has been filed under Section 378 of the Criminal Procedure Code, against the Judgment passed in Crl.A.No.151/2001 dated 26.04.2002, by the learned III Additional Sessions Judge, Chennai setting aside the judgment of conviction under section 138 of the Negotiable Instruments Act passed in C.C.No.6694 of 1996 by order dated 09.07.2001 on the file of the XV Metropolitan Magistrate Court, George Town, Chennai.

For Appellant : No Appearance
For Respondent : Mr.Ramesh Kumar Chopra

JUDGMENT

This Criminal Appeal has been filed by the Appellant against the Judgment passed in C.A.No.151/2001 dated 26.04.2002, by the learned III Additional Sessions Judge, Chennai, setting aside the judgment of conviction under section 138 of the Negotiable Instruments Act and the sentence of one year simple imprisonment and fine of Rs.5,000/-, passed in C.C.No.6694 of 1996 by order dated 09.07.2001 on the file of the XV Metropolitan Magistrate Court, George Town, Chennai.

2.When the matter is taken up today, there is no representation on behalf of the appellant.

3.Mr. Ramesh Kumar Chopra, learned counsel representing the respondent would submit that the respondent/accused was convicted by the trial Court and upon the appeal filed by him, the Lower Appellate Court set-aside the judgment of

conviction and acquitted him and against the judgment of acquittal, the present appeal has been filed by the appellant/complainant.

4. He would further submit that during pendency of the appeal against acquittal, the respondent has passed away on 21.02.2019. He has furnished a copy of the Death Certificate of M.S.Natarajan, issued by the Greater Chennai Corporation dated 17.03.2019.

5. Recording the same, the criminal appeal stands closed as abated as per section 394 of Cr.P.C.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

jrs

To

1. The III Additional Sessions Court, Chennai.
2. -do- Through The Principal Sessions Judge, Chennai
3. The XV Metropolitan Magistrate Court,
George Town, Chennai.
4. -do- Through The Chief Metropolitan Magistrate,
Egmore, Chennai-8.

Copy To
The Section Officer,
Crl. Section, High Court, Madras

Crl.A.No.40/2003

SV(CO)
GMY(23/09/2019)

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