

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.Nos.1251 to 1280 and 1206 & 1207 of 2018 and

Crl.M.P.Nos.14892, 14897, 14893, 14917, 14906, 14907, 14920, 14921, 14886, 14884, 14910, 14901, 14926, 14912, 14902, 14900, 14903, 14904, 14905, 14908, 14909, 14911, 14913, 14914, 14915, 14916, 14918, 14919, 14922, 14923, 14924, 14925, 14927, 14239, 14242, 14882, 14885, 14887 to 14891, 14894, 14895, 14896, 14898 & 14899

Yogesh Jogindernath Mehra

...Petitioner Petitioner/Accused in all the RCs

-Vs-

DKD Engineers Pvt.Ltd.,
rep. by its Manager and Authorised Signatory
P.C.Senthilkumar,
No.28, Tex Park Road, Nehru Nagar West,
Kalapatti Road, Coimbatore - 641 014.

...Respondent/Complainant in all the RCs

Common Prayer: These Criminal Revision cases are filed under Sections 397 r/w Section 401 of Cr.P.C. to set aside the order dated 01.06.2018 in Crl.RC.No.1251 to 1280 and 1206 & 1207/2018 in Crl.Mp.No.5262/17, Crl.Mp.244/2018, Crl.Mp.247/2018, Crl.Mp.5261/17, Crl.Mp.246/2018, Crl.Mp.243/2018, Crl.Mp.223/2018, Crl.Mp.245/2018, Crl.Mp.240/2018, Crl.Mp.222/2018, Crl.Mp.5264/2017, Crl.Mp.242/2018, Crl.Mp.241/2018, Crl.Mp.5266/2017, Crl.Mp.233/2018, Crl.Mp.234/2018, Crl.Mp.231/2018, Crl.Mp.232/2018, Crl.Mp.235/2018, Crl.Mp.5263/2017, Crl.Mp.5265/2017, Crl.Mp.230/2018, Crl.Mp.225/2018, Crl.Mp.229/2018, Crl.Mp.239/2018, Crl.Mp.226/2018, Crl.Mp.224/2018, Crl.Mp.228/2018, Crl.Mp.227/2018, Crl.Mp.238/2018, Crl.Mp.237/2018, Crl.Mp.236/2018, respectively in STC 983/2017, STC No. 2350/2017, STC No.2349/2017, STC 983/2017, STC 2349/17, STC 1346/2017 STC No. 1175/2017, STC 2350/2017, STC 2842/2017, STC 1175/2017, STC 984/2017, STC 1346/2017, STC 2842/2017, STC 982/2017, STC 2838/2017, STC No. 2839/2017, STC 1347/2017, STC 2838/2017, STC 2839/2017, STC 984/2017, STC 982/2017, STC 1347/2017, STC 1176/2017, STC 1178/2017, STC No.2841/2017, STC 1177/2017, STC 1176/2017, STC 1178/2017, STC 1177/2017, STC 2841/2017, STC No.2840/2017, STC 2840/2017 respectively on the file of the III Judicial Magistrate Court, Coimbatore.

in Crl.M.P.No15262 of 2017 in S.T.C.No.983 of 2017 on the file of the III Judicial Magistrate Court, Coimbatore.

For Petitioner : M/s.Rohini Ravikumar in all the RCs
For Respondent : Mr.T.Karthick Srinath for
M.M.Vijayan Associates in all the RCs

COMMON ORDER

The petitioner is accused and respondent is complainant in all the revision cases. The respondent/complainant has filed private complaints under Section 200 Cr.P.C. against the petitioner for the offence under Section 138 of Negotiable Instruments Act. Pending the cases in all the revisions, the petitioner has filed petitions under Section 205 of Cr.P.C seeking the relief of dispense with of his personal appearance and the trial Court has allowed all the petitions by imposing conditions that the petitioner shall appear before the trial Court in any one day from 25.06.2018 to 29.06.2018 for questioning under Section 313 of Cr.P.C. and shall appear before the Court as and when required. Aggrieved against the conditional order, the petitioner is before this Court with the above criminal revision cases.

2 It is seen that the petitioner himself filed petitions seeking dispense with his appearance and the Court below has also allowed the petitions by imposing very lenient conditions that the petitioner shall appear at any one day from 25.06.2018 to 29.06.2018 and also directed to appear as and when required. This Court is of the view that while allowing the petition seeking dispense with of personal appearance, the Court usually impose certain conditions and in this case also the Court below had imposed usual conditions, this being the fact, the petitioner had filed these revisions even against the usual conditions, which is unfair and could not be entertained. The attitude of the revision petitioner is nothing but an abuse of process of Court. However, it is submitted that during pendency of this revision, the copies were furnished to the accused and trial also commenced in this case.

3 In view of the above no order required to be passed in the revision. However, the learned Judicial Magistrate No.III, Coimbatore, is directed to dispose of all the cases, pertaining to the above criminal revision cases in accordance with law within a period of three months from the date of receipt of a

copy of this order. With the above observation and direction, all the criminal revision cases are dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The III Judicial Magistrate Court, Coimbatore.

2.do Thro The Chief Judicial Magistrate,
Coimbatore.

+1cc to M/s.K.M.Vijayan Associates, Advocate sr.no.34894

+2cc to M/s.Rohini Ravikumar, Advocate sr.no.35063

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vba(co)
nr 15/04/2019

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