



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Thursday, the Twenty Fourth day of January Two Thousand Nineteen

WEB COPY

PRESENT

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CRL MP(MD) No.9301 of 2018

IN

CRL A(MD) No.491 of 2007

VANAJA

W/O. SATHASIVAM

DOOR NO.9/150, KALAIMAHAL ST.,

PUTHALAM, THANGAMPUTHOOR VILLAGE

KANYAKUMARI DISTRICT

SUCHINDRAM POLICE STATION LIMITS

... PETITIONER

Vs

S. SANKARA NARAYANAN

S/O.SUBBAIAH NADAR

KANAGAVILAI, SANGARAMKAVOO,

KERALAPURAM POST,

THIRUVITHAMCODE,

KANYAKUMARI DISTRICT

... RESPONDENT

Prayer in CRL MP(MD). 9301/ 2018 :

This Criminal Miscellaneous Petition filed U/s.482 of Cr.Pc. praying this Court to Restore the Crl.A(MD)No. 491/2007, which was dismissed for non prosecution on 25.08.2018.

Prayer in CRL A(MD). 491/ 2007 :

Appeal filed under section 378 of the Code of Criminal Procedure 1973, to call for the records from the lower court, hear the appeal and set aside the acquittal judgment passed by the lower court in c.c.No.214 of 2005 dated 02.05.2007 on the file of the Judicial Magistrate No.III, Nagercoil and convict the respondent under section 138 and 142 of the Negotiable Instruments Act and to pass order for compensation to the appellant.

ORDER : This criminal miscellaneous petition coming on for hearing on this day, and upon perusing the petition and affidavit and the material papers and upon hearing the arguments of Mr.K.P.Narayanakumar, Advocate for the petitioner and Mr.M.Suri, Advocate for the respondent, the Court made the following order:

<https://hcservices.ecourts.gov.in/hcservices/> The respondent has no serious objection to restore the appeal.



In view of the above, this petition is allowed and the Criminal Appeal, which is dismissed for default, is restored on file.

The Registry is directed to make necessary endorsement and list the Criminal Appeal by Second week of February, 2019.

WEB COPY

Sd/

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

TO

1. The Judicial Magistrate No.III,
Nagercoil.
2. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)
3. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

ORDER

IN

CRL MP(MD) No.9301 of 2018

IN

CRL A(MD) No.491 of 2007

Date :24/01/2019

Giving directions as
stated with etc.,

SS/RSK/SAR 2/29.01.2019/2P/5C