

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2020

CORAM :

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl. R.C.No.1201 of 2017

D.Chandrasekaran

...Petitioner/Complainant

.Vs.

N.Raman

...Respondent/Accused

Prayer: The Criminal Revision petition is filed under Section 397 and 401 of Cr.P.C to call for the records in order dated 19.01.2017 made in Crl.MP.No.479 of 2016 in CC.No.un-numbered of 2017 on the file of the learned Judicial Magistrate, Alandur, peruse, hear the counsel, and set aside the discharge order thereon.

For Petitioner : Mr. SN.Thangaraj for R.Sreerangan
For Respondent : Mr. S.Bharatha Ambethkar

ORDER

This Criminal Revision Petition No.1201 of 2017 has been filed against the order passed by the learned Judicial Magistrate, Alandur in Crl.MP.No.479 of 2016 in C.C. No. un-numbered of 2017 on 19.01.2017.

2. The learned counsel for the petitioner submitted that Crl.MP.No.479 of 2016 was filed to condone the delay of 39 days in representing the complaint filed under the Negotiable Instruments Act. It is admitted by both the parties that the main complaint was filed in time. However, after the complaint was returned for complying certain direction of the Court, it appears that the complaint was not represented within the time stipulated.

3. It is seen from the order of the learned Judicial Magistrate, Alandur that even after the case was posted 'for dismissal', the petitioner has not chosen to appear before the Court and proceed with the case. However, considering the fact that the delay in representing is only 39 days and also the fact that any dispute between the parties shall be resolved on merits, this Court is of the considered view that this Criminal Revision Petition may be allowed, subject to payment of costs of Rs.5,000/- (Rupees Five Thousand only) to the respondent on or before 06.01.2021 failing which, this Criminal Revision Petition will stand dismissed automatically. The above said amount to be deposited in Judicial Magistrate Court, Alandur.

4. Accordingly, this Criminal Revision Petition is allowed subject to the aforesaid observation.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

drl

To

1.The Cheif Judicial Magistrate
Alandur

2.The Judicial Magistrate,
Alandur.

Cr1. R.C.No.1201 of 2017

aa21/12/2020

WEB COPY