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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl. R.C.(MD)No.582 of 2016

R.Pandi .. Petitioner/Respondent/Complainant

Vs.

A.Mohammed Lukuman Hakkim ... Respondent/Appellant/Accused

Prayer : This Criminal Revision is filed under Sections 397 r/w. 401 of Cr.P.C., to set aside the Judgment dated 18.04.2016 made in C.A.No.42 of 2014 on the file of the learned IV Additional District and Sessions Judge, Madurai, reversing the Judgment of conviction and sentence passed by the learned Judicial Magistrate No.I, Fast Track Court Magisterial Level, Madurai, dated 25.08.2014 in S.T.C.No.570 of 2013 and by allowing the above revision petition.

For Petitioner : Mr.B.Jameel Arasu
For Respondent : Mr.N.Oli Mohammed

ORDER

Heard the learned counsel on either side.

2. The revision petitioner Pandi is the complainant in S.T.C.No.570 of 2013 on the file of the Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai.

3. The case ended in conviction and sentence. Aggrieved by the same, the respondent herein filed C.A.No.42 of 2014 before the IV Additional District and Sessions Judge, Madurai. The appellate Court by Judgment dated 18.04.2016 came to the conclusion that the complainant failed to prove the execution of the cheque and there was no legal enforceable debt and that the cheque in question was not issued towards discharge of the debt. In that view of the matter, the appeal was allowed and the Judgment of the Court below was set aside and the accused was acquitted. Challenging the same, the complainant filed this criminal revision case.

4. The formal submission of the respondent's counsel is that the complainant is no more. The learned counsel appearing for the respondent also states that in spite of his best efforts, he could not contact with the revision petitioner, it is only the respondent who is before this Court and not the complainant. Since the learned counsel appearing for the complainant also is reporting no

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instructions, I have no other option but to dismiss this revision case.

5. This criminal revision case is dismissed for non-prosecution.

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Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar(CS)

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To

1. The IV Additional District and Sessions Judge,
Madurai.

2. The Judicial Magistrate No.I,
Fast Track Court Magisterial Level, Madurai.

3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

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