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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.RC.No.745 of 2021
and Crl.MP.Nos.11476 and 11477 of 2021

K.Mohammed Rizwan

... Appellant

Vs.

M/s.Hamdan Leathers

Rep by its owner,

K.Nahib Afroze.

... Respondent

PRAYER : Criminal revision is filed under Section 397 r/w.401 of Criminal Procedure Code to call for the records relating to the judgment made in Crl.A.No.101 of 2018 on the file of the III Additional Sessions Judge, Vellore dated 23.10.2019 in the nature of confirming the punishment of simple imprisonment of two months for the offence punishable under Section 138 of Negotiable Instruments Act made in CC.No.83 of 2013 on the file of the Additional District Munsif-cum-Judicial Magistrate, Ambur dated 21.05.2018.

For petitioner : Mr.Ramesh Srinivasan.

O R D E R

The learned counsel for the petitioner would submit that the petitioner had earlier instructed a counsel to file Criminal revision and the counsel had filed Crl.RC.No.1235 of 2019. But this was not brought to the knowledge of the petitioner and he was unable to contact the earlier counsel who had filed the revision in Crl.RC.No.1235 of 2019. The petitioner was under the bonafide impression that no revision was filed and thereby the petitioner had requested the other counsel to apply for certified copies and based on that the second revision has been filed. The learned counsel would submit that due to bonafide mistake the second revision has been filed. Thereby, he would seek permission of this Court to withdraw the present revision in Crl.RC.No.745 of 2021 and he has also made an endorsement to that effect.



2. Recording the submission so made by the learned counsel for the petitioner, the present criminal revision is dismissed as withdrawn. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The III Additional Sessions Judge,
Vellore.

2.The Additional District Munsif-cum-Judicial Magistrate,
Ambur.

Cr1.RC.No.745 of 2021.

KSM (CO)
PR (07/01/2022)