



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of November Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION No.11712 of 2021

IN CRL.A.No.903 of 2019

P.RAJAN (SINCE DECEASED)

[PETITIONER/PROPOSED APPELLANT]

Vs

C.ASHOK KUMAR

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the substitution of the petitioner herein R.Mahalakshmi as the appellant in place of the deceased P.Rajan in the above Criminal Appeal No.903/2019 and to continue the proceedings and pass such further or other orders.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.S.BALAJI, Advocate for the Petitioner and of M/S.P.K.MOHANVEL, Advocate on behalf of the Respondent the court made the following order:-

This petition has been filed seeking to substitute the petitioner herein as the appellant in the place of the deceased P.Rajan in the above criminal appeal Crl.A.No.903 of 2019.

2.Learned counsel for the petitioner would submit that her husband Rajan filed C.C.No.2501 of 2016 against the respondent for the offence under Section 138 of the Negotiable Instruments Act. The Lower Court had convicted the respondent. However, the Appellate Court had reversed the finding of the Lower Court and acquitted the respondent/accused against which, her husband had filed Crl.A.No.903 of 2019 before this Court. While the appeal was pending, the husband of the petitioner passed away and thereby the present petition has been filed seeking to substitute her as the appellant in C.A.No.903 of 2019.



3.Learned counsel for the respondent has no objection for allowing this petition.

4This petition is ordered.

WEB COPY

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24/11/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 XVI ADDITIONAL SESSIONS COURT,
CHENNAI.

2 THE METROPOLITAN MAGISTRATE,
FTC-IV, GEORGE TOWN, CHENNAI.

3 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.[FOR INFORMATION]

C.C. to M/S.S.BALAJI Advocate on payment of necessary charges

Order

in
CRL MP.11712/2021
in
CRL A.903/2019

Date :24/11/2021

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RW 26/11/2021