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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

CRL.R.C.NO.676 OF 2017

S.Selvam

... Petitioner/Accused

Vs.

M.Natarajan

... Respondent/Respondent

PRAYER:-

This Criminal Revision Case has been filed under Section 397 read with Section 401 of Cr.P.C, to reverse the Order passed in Crl.M.P.No.918 of 2017 in C.A.No.83 of 2017 on the file of the Principal District and Sessions Judge, Coimbatore dated 20.04.2017 dismissing the suspension of sentence in C.C.No.112 of 2012.

For Petitioner : Mr.M.Roshan Atiq

For Respondent : Mr.P.Saravana Sowmiyan

O R D E R

The learned counsel appearing for the respondent would submit that the respondent herein has filed a case against the accused/revision petitioner in C.C.No.112 of 2012 for the offence under Section 138 of the Negotiable Instruments Act. After the trial, when the date was fixing for pronouncement of judgment, the revision petitioner herein/accused has filed a petition under Section 317 of Cr.P.C, to dispense with his presence due to ill health and the same was allowed and judgment was pronounced on that day. Thereafter, the revision petitioner/accused has preferred an appeal in C.A.No.83 of 2017 against the order passed in C.C.No.112 of 2012 and he has also preferred a petition in Crl.M.P.No.918 of 2017 to dispose of his surrender and the same was dismissed by the learned Principal District and Sessions Judge, Coimbatore. Aggrieved against the said order accused/revision petitioner herein has preferred this Criminal Revision Case before this Court.



2. It is seen from the records that during the pendency of this Criminal Revision Case, the accused was granted suspension of sentence by an order passed in Crl.M.P.No.6488 of 2017, dated 10.05.2017.

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3. The learned counsel appearing for the respondent would submit that the main Criminal Appeal in CA.No.83 of 2017 itself was dismissed on 04.01.2020 and hence, there is nothing survives in this Criminal Revision Case.

4. In view of the above, this Criminal Revision Case stands dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
Coimbatore.
2. The Judicial Magistrate,
Fast Track Court - IV,
Magistrate Level II,
Coimbatore.
3. The Chief Judicial Magistrate,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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GJ(CO)
PBS/11/08/2021