



**BAIL SLIP**

Baladhandapani.S/o.Shanmugam, male(Aged About 44/2017 years) (Sole Accused) is Released On Bail Vide Court order Dated 06.11.2017 made in CRL MP(MD).No.10027 of 2017 in CRL RC(MD).No.811 of 2017.

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 16.04.2021**

**CORAM :**

**THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

**Crl.R.C. (MD) No.811 of 2017**

Baladhandapani ... Petitioner

vs.

S.Palanisamy ... Respondent

**Prayer:-** This Criminal Revision Case filed under Section 397(1) r/w 401 of the Code of Criminal Procedure, to set aside the judgment and conviction made in C.A.No.50 of 2016 by the Additional District and Sessions Judge, Palani dated 16.08.2017 by confirming the judgment and conviction made in S.T.C.No.152 of 2013 by the Fast Track Court (Magisterial Level), Palani dated 10.11.2016.

For Petitioner : Mr.M.P.Senthil  
For Respondent : Mrs.J.Saranya for  
Mr.N.Sathish Babu

**ORDER**

This Criminal Revision Case has been filed to set aside the judgment and conviction made in C.A.No.50 of 2016 by the learned Additional District and Sessions Judge, Palani, dated 16.08.2017, confirming the judgment and conviction made in S.T.C.No.152 of 2013 by the Fast Track Court (Magisterial Level), Palani dated 10.11.2016.

2.When the matter is taken up for hearing today, through virtual mode, the learned counsel appearing for the petitioner sought adjournment for settling the matter. However, the learned counsel appearing for the respondent/complainant would submit that several opportunities have already been given to the parties for settling the matter, but, there is no possibility for any settlement.

3.On a perusal of the records, it is found that a case has been filed as against the petitioner under Section 138 of Negotiable Instruments Act, 1881. After trial, the learned trial Judge convicted the petitioner in S.T.C.No.152 of 2013 and as against the same, the petitioner has preferred an appeal in C.A.No.50 of 2016 and the same has also been dismissed by the appellate Judge. Challenging the same, the petitioner is before this Court with this present criminal revision case and the matter is pending nearly for 4 years.



4.This Court, on a perusal of the papers, is of the view that if at all the intention of the petitioner is to settle the matter, it might could have been done, when the matter is pending the trial, but there was no settlement at that time. Thereafter, the matter was heard by the trial Judge and the petitioner was convicted. Challenging the said conviction, the petitioner had preferred an appeal in C.A.No.50 of 2016 before the learned Additional District and Sessions Judge, Palani, without availing the opportunity of settling the matter before the Lok-Adalat, which are conducted by this Court at every year. Thereafter, the petitioner has filed the present revision. This is a case of misusing the judicial forum at the maximum by harassing the complainant/litigant, who has faith in the judicial system by seeking judicial relief.

5.When appropriate opportunity had been given to the petitioner to settle the matter and to protect his right, without exhausting the remedies available, he is now before this Court, by way of filing the present revision, without any legal basis, which is pending nearly for 4 years. At this stage, this Court is of the view that no purpose will be served by granting adjournment.

6.In the light of the above, this Criminal Revision Case is dismissed. The learned Additional District and Sessions Judge, Palani is directed to proceed with the warrant against the petitioner/accused for sentence.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Additional District and Sessions Judge,  
Palani.

2.The Judge,  
Fast Track Court (Magisterial Level),  
Palani.

3.The Chief judicial Magistrate,  
Dindigul.

**Copy to**

The Section Officer, (2C)  
Criminal Section(Records)  
Madurai Bench of Madras High Court,  
Madurai

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.M.P.SENTHIL, Advocate ( SR-16676[F] dated 20/04/2021 )

Crl.R.C.(MD) No.811 of 2017  
16.04.2021

NS (CO)

KB(26.04.2021) 3P 7C