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Crl.R.C.No.345 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.345 of 2018

M/s.Reny Logistics Pvt.Ltd,
represented by Balaji,
I Floor, No.77 'A' Block,
Thanigachalam Nagar,
Chennai.

... Petitioner

Vs.

G.Basheer & Sons,
represented by its Partner Nafees Pasha,
No.20-B, Oosman Khan Road,
Bangalore – 560 002.

... Respondent

Prayer: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C, to set aside the order passed by the learned Metropolitan Magistrate Fast Track Court-II, Egmore of dismissing the complaint under Section 204 Cr.P.C in C.C.No.3978 of 2015 and thereby to restore the complaint on the file of the learned Magistrate Fast Track Court-II, Egmore.

For Petitioner	: Mr.J.Suresh
For Respondent	: Not ready with notice No appearance



ORDER

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This Criminal Revision case has been filed to set aside the order passed by the learned Metropolitan Magistrate Fast Track Court-II, Egmore, thereby dismissed the complaint under Section 204 Cr.P.C in C.C.No.3978 of 2015 for the offence punishable under Section 138 of Negotiable Instruments Act.

2. The petitioner lodged a complaint as against the respondent and the same has been taken cognizance in C.C.No.3978 of 2015, on the file of the Trial Court. However, after taking cognizance for the offence punishable under Section 138 of Negotiable Instruments Act, the petitioner herein being a complainant failed to appear before the Trial Court. Therefore, the Trial Court dismissed the complaint for his absence under Section 204 of Cr.P.C.

3. Considering the above facts and circumstances of the case, this Court is giving one more opportunity to the petitioner herein to pursue his complaint before the Court below. The Trial Court is directed to restore the complaint and issue fresh summons to the respondent and complete the trial, within a period of nine months from the date of appearance of the respondent herein.



Crl.R.C.No.345 of 2018

WEB COPY

4. In view of the above, the order passed in C.C.No.3978 of 2015 dated 27.07.2017, is hereby set aside. Accordingly, this Criminal Revision case stands allowed.

14.10.2022

Internet: Yes

Index: Yes/No

Speaking/Non speaking order
mn

To

The Metropolitan Magistrate Fast Track Court-II, Egmore.



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G.K.ILANTHIRAIYAN. J.

mn

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14.10.2022