



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.14946 OF 2022

S.Sakthi

...Petitioner

Vs.

A.Vahitha Banu
Proprietor
M/s.Bava Traders
No.26, Nehru Road,
Edyampatti
Jolarpettai,
Vellore District.

...Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Judicial Magistrate No.I, Tirupathur to issue the certified copy of the Judgment dated 22.12.2021 passed in S.T.C.No.469 of 2018 in copy application Sr.No.542 of 2022 which was returned on 28.02.2022 and pass any other orders.

For Petitioner : Mr.D.Bennington

ORDER

This Criminal Original Petition has been filed seeking to direct the learned Judicial Magistrate No.I, Tirupathur, to issue the certified copy of the Judgment dated 22.12.2021 passed in S.T.C.No.469 of 2018 in copy application Sr.No.542 of 2022 which was returned on 28.02.2022.

2. It appears that the petitioner was absent during the pronouncement of the Judgment wherein the learned Magistrate has convicted the petitioner for the offence under Section 138 of Negotiable Instruments Act.

3. The contention of the petitioner is that to file an appeal, the certified copy of the Judgment is required. Hence, he seeks for a direction to the trial Court to issue the certified copy of the Judgment.



4. The petitioner is directed to surrender before the learned Judicial Magistrate No.I, Tirupathur within 10 days from the date of receipt of a copy of this order and file a petition for suspension of sentence as per law. On such petition, the learned Magistrate shall consider the same on merits on the same day and also provide him the certified copy of the Judgment.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.I,
Tirupathur.

2.(do through) The Chief Judicial Magistrate,
Vellore District.

+1cc to Mr.D.Bennington, Advocate Sr.No.41316

Crl.O.P.No.14946 of 2022

JPL(CO)
RVM(04/07/2022)