



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2022

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C. (MD)No.281 2020
and Crl.MP(MD)No.2364 of 2020

N.Mohan

... Petitioner/ Accused

Vs

R.Madhu

... Respondent/ Complainant

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to allow the Criminal Revision Petition and set aside the order passed by the learned Judicial Magistrate /Fast Track, Karur made in Cr.M.P No.12498 of 2019 in S.T.C No.240 of 2016 dated 05.02.2020.

For Petitioner : Mr.H.Lakshmi Shankar
For Respondent : Mr.V.Nagarajan

O R D E R

This Criminal Revision Petition has been filed challenging the impugned order passed by the learned Judicial Magistrate/Fast Track, Karur made in Cr.M.P No.12498 of 2019 in S.T.C No.240 of 2016 dated 05.02.2020.

2.The respondent is the complainant and the petitioner is the accused. The respondent filed a complaint under Section 138 of Negotiable Instruments Act, as against the petitioner and the same has been taken cognizance in S.T.C.No.240 of 2016 on the file of Judicial Magistrate Court/Fast Track, Karur. The respondent was examined as PW1 and the petitioner was examined as DW1. During the examination of DW1, he admitted that he has accounts in various banks. Further, he had no objection to send summons to the Bank Manager, where he holds account.

3.In pursuant to the said admission, the respondent filed a petition to re-open the case for examination of Bank Manager, in which, the petitioner holds account. That petition was allowed on payment of cost of Rs.5,000/-.

4.Now the learned counsel appearing for the respondent submitted that after allowing the said petition, summons was issued to examine the Bank Manager and the case was posted on 24.03.2022.



5. In view of the above, this Court finds no infirmity or illegality in the order passed by the Court below. Accordingly, this Criminal Revision Petition stands dismissed. However, the trial Court is directed to complete the trial, within three months, from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate Court/Fast Track,
Karur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-12686[F] dated 17/03/2022)

+1 CC to M/s.V.NAGARAJAN, Advocate (SR-12633[F] dated 17/03/2022)

ORDER IN
Crl.R.C. (MD) No.281 2020
16.03.2022

PNM
MS/24.03.2022/2P.5C