



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Tuesday, the Thirteenth day of September Two Thousand and  
Twenty Two

WEB COPY

PRESENT

**The Hon`ble Mr.Justice G.ILANGO VAN**

CRL MP(MD) No.9618 of 2022  
in  
CRL A(MD)SR No.28102 of 2022

FRANCHES

... PETITIONER/APPELLANT

Vs

ANJALI DEVI

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 133 days in filing the criminal appeal petition against S.T.C No. 174/2016 on the file of the Judicial Magistrate (Fast Track court), Karaikudi.

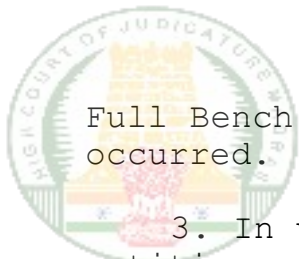
**PRAYER IN CRL A(MD)SR.No.28102 of 2022:**

Pleased to allow this appeal, set aside and reverse the judgment of the Fast Track Court (Magisterial Level) Karaikudi dated 03.08.2017 made in STC No. 174 of 2016 and convict the respondent/accused for the offence under section 138 Negotiable Instrument Act and award compensation and cost.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.M.RAJESWARI, Advocate for the petitioner and of MR.K.R.MANIMARAN, Advocate on behalf of the Respondent, the court made the following order:-

This petition is filed to condone the delay of 133 days in filing the above Criminal Appeal.

2. The learned counsel for the petitioner submitted that the petitioner has filed a petition in S.T.C.No.174 of 2016 on the file of the Fast Track Court (Judicial Magistrate Level), Karikudi to convict the respondent under Section 138 of Negotiable Instrument Act and the same was dismissed on 03.08.2017. Challenging the same, he has also filed an appeal in C.A.No.85 of 2017, on the file of Session Judge, Sivagangai and the same was retuned by referring the



Full Bench order of this Court. On that ground, the above said order may be set aside. It is ordered that the respondent shall pay the costs of the appeal as ordered by the Full Bench order of this Court. On that ground, the above said order may be set aside.

3. In view of the submission made by the learned counsel for the petitioner, this petition is allowed and the delay of 133 days in filing the Criminal Appeal is condoned, on condition that the petitioner shall pay a sum of Rs.1,000/- (Rupees Thousand Only) to the respondent directly.

4. Registry is directed to number the appeal, if it is otherwise in order and list the matter on 22.09.2022.

sd/-

13/09/2022

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/09/2022

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE,  
FAST TRACK COURT,  
KARAIKUDI.
- 2 DO THROUGH:  
THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.

COPY TO  
THE SECTION OFFICER,  
CRIMINAL SECTION  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

ORDER  
IN  
CRL MP(MD) No.9618 of 2022  
in  
CRL A(MD)SR No.28102 of 2022  
Date :13/09/2022

TTA  
PKP/SVR/SAR-2/21.09.2022/2P/4C