



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

Tuesday, the First day of November Two Thousand and Twenty Two

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.11925 of 2022

in

CrI.A.(MD).No.SR32424 of 2022

K.ULAGANATHA PILLAI

... PETITIONER/APPELLANT

Vs

1. M/S.HYCOUNT POLYMERS PRIVATE LIMITED,
NO.732, TVM ROAD, VADASERY,
NAGERCOIL-1.
REP BY ITS MANAGING DIRECTOR,
M.MOHAMED KABIR,

2. M.MOHAMED KABIR, S/O.MOHAMED KASSIM
3. M.MOHAMED KASIM SHAFEEQ
4. FERDOWS BEEVI
5. BEEVI FATHIMA FARSHANA
6. M.VADIVEL MURUGAN

7. THE STATE OF TAMIL NADU
REP BY THE PUBLIC PROSECUTOR,
NAGERCOIL.

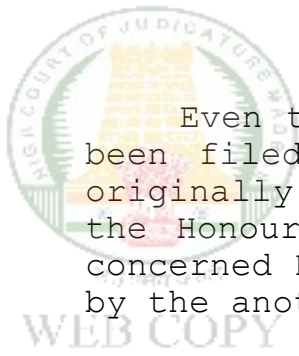
... RESPONDENTS/RESPONDENTS

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 108 Days in filing the Criminal Appeal as against the Judgment dt.25.09.2015 passed in CC No.221/2013 on the file of the Judicial Magistrate (Fast Track Court No.1) Nagercoil.

Prayer in CrI.A. (MD) .No.SR32424 of 2022 :

Pleased to call for the records relating to the Judgment dated 25.09.2015 made in C.C.No.221 of 2013 on the file of the Judicial Magistrate (Fast Track Court No.1), Nagercoil acquitting the Respondents/Accused to set aside the same as illegal and allow the above appeal.

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.MURUGAN.R, Advocate for the petitioner and of M/S.K.SATHIYA SINGH, Advocate on behalf of the Respondents NO.3 to 5, the court made the following order:-



Even though the second respondent reported dead, steps have not been filed. It is submitted on the side of the petitioner that originally the case was filed before this Court and later because of the Honourable Full Bench's decision, it was presented before the concerned District Court, thereafter, new order that has been passed by the another Bench, again it was presented before this Court.

2. Even though the learned counsel for the respondent submitted that without proper resolution the above case has been registered, it is a matter for appeal.

3. Considering the fact that it is a case registered under Section 138 of the Negotiable Instruments Act, this Court is inclined to allow this petition on payment of costs.

4. Accordingly, this petition will be allowed on payment of cost of Rs.2,000/- to each respondent by the petitioner through the counsel on record.

5. Call on **14.11.2022**.

sd/-
01/11/2022

/ TRUE COPY /

/11/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE
(FAST TRACK COURT NO.I), NAGERCOIL.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.MURUGAN, Advocate (SR-12267[I] dated 02/11/2022)

ORDER IN
CRL MP(MD) No.11925 of 2022
in
Crl.A.(MD).No.SR32424 of 2022
Date :01/11/2022

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USK/SSS/SAR-III/04.11.2022/2P/5C