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Crl.A.No.256 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM:

The Honourable MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.A.No.256 of 2015

P.S.G.Power Solutions Private Limited
By its Managing Director A.Sargunan
No.7, A-Block, Iswariyam Avenue
Rani Street, Somu Street,
Medawalkkam, Chennai – 600 100.

...Petitioner/Appellant

-Vs-

A.Saraswathy

...Respondent/Respondent

Prayer:- Criminal Appeal filed under Section 378 of the Criminal Procedure Code, 1973, to call for the records in C.C.No.233 of 2013 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level) Alandur, and set aside the judgment dated 11.12.2014 and punish the Accused under Section 138 of the Negotiable Instruments Act and direct the Accused to pay compensation of cheque amount.

For Appellant : No appearance

For Respondent : Mr.P.Thinesh



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J U D G M E N T

WEB COPY When the case came up for hearing on 12.07.2023, learned Counsel for the Respondent alone was present in Court. There was no representation on behalf of the Appellant. Therefore, Registry was directed to post this case under the caption “For Dismissal” on 19.07.2023.

2. On 19.07.2023, learned Counsel for the Appellant submitted that he had returned the case records to the party/Appellant. Therefore, this Court directed the Registry to remove the name of the Counsel on record for the Appellant. Also, the Registry was directed to issue notice to the Appellant, directing the Appellant to appear before this Court either through Counsel or directly, failing which the Appeal will be dismissed. Therefore, this Court directed the Registry to post the Appeal under the caption “For Dismissal” on 18.08.2023.

3. Today, 18.08.2023, when the case came up for hearing, the learned Counsel for the Respondent alone is present in Court. The Registry has placed the report of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur. The learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur, had stated that notice was sent through



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the Inspector of Police, T-14 Pallikaranai Police Station, Chennai. The

Inspector of Police, T-14 Pallikaranai Police Station, Chennai, had filed a report in D.No.1205 of 2023 dated 02.08.2023, stating that the Appellant had vacated the premises and therefore, the Appellant was unable to serve notice. In the light of the letter placed by the Registry from the learned Judicial Fast Track Court (Magisterial Level), Alandur, along with the report of the Inspector of Police, T-14 Pallikaranai Police Station, Chennai. No purpose will be served by repeatedly adjourning this case. Hence, this Court is inclined to dismiss the Appeal.

4. Accordingly, **this Criminal Appeal stands dismissed.**

18.08.2023

cda

Index : Yes/No

Speaking/Non-speaking order

To

1.The Judicial Magistrate,
Fast Track Court (Magisterial Level)
Alandur.

2.The Section Officer, VR Records,
High Court, Chennai.



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SATHI KUMAR SUKUMARA KURUP, J.,

cda

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