



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.15872 of 2023

Sundar

.. Petitioners

Vs.

Kalaivanan

..Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 13.04.2021 made in STC No.1614 of 2016 by the Judicial Magistrate-IV, Puducherry and restore the same.

For Petitioner

: Mr.T.Ananthasekar

ORDER

This petition has been filed challenging the order passed by the Court below dated 13.04.2021, dismissing the complaint for default.

2.The petitioner had filed a complaint under Section 138 of the Negotiable Instruments Act against the respondent. The case was at the stage of trial and it



was posted for the cross-examination of PW1 on 08.02.2020. At that time, some attempt was made to settle the dispute between the parties. Thereafter, the COVID pandemic intervened. Ultimately, the complaint came to be dismissed for non-prosecution by order dated 13.04.2021.

3.Taking into consideration the facts and circumstances of the case, this Court is inclined to interfere with the order passed by the Court below in STC No.1614 of 2016, dated 13.04.2021 and accordingly, the same is hereby set aside. The Court below is directed to restore the STC No.1614 of 2016 on file and proceed further in accordance with law. The proceedings shall be concluded, within a period of six months from the date of receipt of copy of this order.

4.This criminal original petition is disposed of with the above direction.

18.08.2023

Index : Yes/No
Internet : Yes/No
Speaking/Non-Speaking Order
ssr



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- 1.The Judicial Magistrate-IV, Puducherry.
- 2.The Public Prosecutor,
High Court, Madras.



WEB COPY



N.ANAND VENKATESH, J

SSI

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