



WEB COPY



Crl.O.P.No.21537 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.21537 of 2023

1.M/s.Keygee Bright Livestock,
India Private Limited,
Represented by its Managing Director,
G.V.Karthickshankar,
S.F.No.22 C, Senthankantham Complex,
Erode Main Road,
Gobichettipalayam, Erode.

2.G.V.Karthickshankar
S/o.Vellingiri,
Managing Director,
M/s.Keygee Bright Livestock,
India Private Limited,
S.F.No.22 C, Senthankantham Complex,
Erode Main Road,
Gobichettipalayam, Erode.

3.Gayathri,
Mr.G.V.Karthickshankar,
M/s.Keygee Bright Livestock,
India Private Limited,
S.F.No.22 C, Senthankantham Complex,
Erode Main Road,
Gobichettipalayam, Erode.

... Petitioners

Vs.



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M.Chenniappan
S/o.Marappa Gounder

... Respondent

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to direct the learned District and Sessions Judge at Tirupur, to entertain and to number the above Criminal Appeal in C.A.SR.No.3087 of 2023.

For Petitioners : Mr.G.Nirmal Krishnan

ORDER

This Criminal Original Petition has been filed for a direction to the learned District and Sessions Judge, Tirupur, to entertain and number the Criminal Appeal against the judgment passed by the learned Judicial Magistrate, Palladam in S.T.C.No.7321 of 2015 convicting the petitioners for offence u/s.138 of Negotiable Instrument Act.

2. Heard Mr.G.Nirmal Krishnan, learned counsel for petitioners.

3. It is seen from the endorsement that the Criminal Appeal is not entertained on the ground that NBW was issued against the petitioners by the trial Court at the time of passing judgment.



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4. In the considered view of this Court, the issuance of NBW cannot a bar for filing Criminal Appeal. It may have some relevance only while considering the application for suspense of sentence. This clarity shall be kept in mind by the Court below and the Criminal Appeal can be numbered and proceeded with in accordance with law.

This Criminal Original Petition is disposed of in the above terms.

20.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
rjr/gm

To
The District and Sessions Judge,
Tirupur.



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N.ANAND VENKATESH,J

gm

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