



Crl.O.P.(MD).No.22321 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.22321 of 2023
and Crl.M.P.(MD).No.17452 of 2023

N.Rajendran

... Petitioner

Vs.

P.Esakki

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to call for the records and set aside the order dt.18.07.2023 in Crl.R.C.No.35/2022 on the file of the IV Additional Sessions Judge, Tirunelveli, confirming order dt.18.05.2022 in Crl.M.P.No.483 of 2021 in S.T.C.No.135 of 2021 on the file of the learned Judicial Magistrate, Special Court for Exclusive Trial of Negotiable Instrument Act, Tirunelveli, by allowing this Criminal Original Petition.

For Petitioner : Mr.Sivasuriyanarayanan

ORDER

This criminal original petition has been filed to set aside the order dt.18.07.2023 in Crl.R.C.No.35/2022 on the file of the IV Additional Sessions Judge, Tirunelveli, confirming order dt.18.05.2022 in



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Crl.M.P.No.483 of 2021 in S.T.C.No.135 of 2021 on the file of the learned Judicial Magistrate, Special Court for Exclusive Trial of Negotiable Instrument Act, Tirunelveli, by allowing this Criminal Original Petition.

2.The petitioner is facing charges under Section 138 of the Negotiable Instruments Act in S.T.C.No.135 of 2021. During the pendency of the trial process, interim order was passed upon the petitioner to pay 20% of the cheque amount as interim compensation. That comes around Rs.60,000/-. Against the above said order, he preferred revision before the IV Additional Sessions Judge, Tirunelveli, in Crl.R.C.No.35 of 2022. That was also came to be dismissed, stating that no interference is called for in the order. This petition has been filed seeking direction to set aside the above said two orders. When the petitioner has already filed the criminal revision case before the learned IV Additional Sessions Judge, Thoothukudi, there is no second revision in the form of petition under Section 482 Cr.P.C.

3.At this juncture, the learned counsel for the petitioner submits



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that he may be granted sufficient time to pay the above said amount. In view of the same one month time is granted to the petitioner to comply the order.

4.With the above said directions, this petition stands dismissed.

Consequently, connected miscellaneous petition is closed.

11.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The IV Additional Sessions Judge, Tirunelveli.
- 2.The Judicial Magistrate, Special Court for Exclusive Trial of Negotiable Instrument Act, Tirunelveli,
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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