

**THE HON'BLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY**

**CRIMINAL REVISION CASE No.3504 of 2018**

**JUDGMENT:**

Heard learned counsel for the petitioner.

2. On perusal of the impugned order, it is evident that Crl.M.P.No.3467 of 2015, on the file of II Addl.Chief Metropolitan Magistrate, Hyderabad is filed to condone the delay of 07 days in filing the complaint.

3. On 22.08.2017, the said application was dismissed for non-prosecution.

4. Being aggrieved by the same, the petitioner has filed this revision contending that the matter relates to section 138 of the Negotiable Instruments Act, but, without discussing the case on merits, the matter was dismissed for default.

5. Considering the fact that the case was dismissed for default, without going into merits, this matter is remitted back to the II Additional Chief Metropolitan

Magistrate, Hyderabad, by setting aside the order dated 22.08.2017 in CrI.M.P No.3467 of 2015 in C.C.SR.No.5211 of 2015 with a specific direction to the petitioner to appear before the said Court on each date of hearing. As the matter is still in SR stage, the petitioner/complainant himself shall appear before the Court and the trial Court shall hear the case and dispose it of on merits.

6. Further, Registry is directed to communicate this order to the court below, on or before 31.01.2023 and the petitioner shall appear before the Court below on 03.02.2023, to make his submissions.

7. In view of the above, the criminal revision case is disposed of with the above observations.

Pending miscellaneous applications, if any, shall stand closed.

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**G.ANUPAMA CHAKRAVARTHY, J**

Date: 18.01.2023

Smk