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CrI.R.C.No.865 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.R.C.No.865 of 2024

V.Kesavan

... Petitioner

Vs.

1.Maruthi Constructions Namakkal
Rep. It's by Managing Partner
M.Sivakumar

2.Sivakumar

... Respondents

Prayer:

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, seeking to enhance of sentence imposed by the learned Judicial Magistrate – I, Namakkal in C.C.No.272 of 2021 dated 03.03.2023 against the respondents/ accused herein.

For Petitioner : Mr.C.D.Johnson
For Respondents : Mr.R.Narayanan and
Mr.N.Krishnappan

O R D E R

This criminal revision has been filed seeking to enhance the sentence imposed by the learned Judicial Magistrate – I, Namakkal in C.C.No.272 of 2021 dated 03.03.2023 against the respondents.

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2.The learned counsel appearing for the petitioner submitted that the petitioner is the complainant and he filed complaint under Section 138 of the Negotiable Instruments Act as against the respondents in C.C.No.272 of 2021 and the learned Judicial Magistrate-I, Namakkal vide order dated 03.03.2023 convicted the accused and sentenced the second respondent to undergo six months simple imprisonment and directed the respondents/ accused to pay a sum of Rs.36 Lakhs as compensation to the petitioner. The learned counsel further submitted that the sentence imposed on the accused is meagre and there is also no default sentence. Hence, the petitioner seeks enhancement of the sentence imposed on the accused.

3.The learned counsel appearing for the respondents submitted that as against the order passed by the learned Judicial Magistrate-I, Namakkal, in C.C.No.272 of 2021 dated 03.03.2023, the respondent have already preferred appeal in CrI.A.No.65 of 2023 on the file of the learned Principal Judge, Namakkal.

4.In view of the above, this Court is not inclined to interfere with the impugned order. This Court permits the petitioner to canvass all



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the points before the lower Appellate Court and to work out the remedy in the manner known to law.

5.This revision is dismissed.

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The Judicial Magistrate – I,
Namakkal.



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M.DHANDAPANI,J.
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