



Crl.A.No.468 of 2015

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

Crl.A.No.468 of 2015

K.Bala Murugan

... Appellant

Vs.

M.J.Sundararajan

... Respondent

Prayer : Criminal Appeal filed under Section 378 of Criminal Procedure Code 1973 against the judgment and orders dated 17.03.2011 passed in C.C.No.215 of 2009 by the Judicial Magistrate No.V, Salem, dismissing the complaint under Section 256 Cr.P.C. and to restore the case on file.

For Appellant : No appearance

For Respondent : Notice not served by the
appellant / complainant

JUDGMENT

The appellant / complainant has initiated a prosecution in C.C.No.215 of 2009 on the file of the learned Judicial Magistrate No.V, Salem, against the accused for the offence punishable under Section 138



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of the Negotiable Instruments Act. The learned Judicial Magistrate No.V, Salem, dismissed the complaint for default on the ground that the complainant and his counsel were absent. Aggrieved over the same, the complainant has filed this present appeal before this Court.

2. Though the appeal was filed in the year 2015, there is no representation for the appellant / complainant and the respondent has not been served with notice till date. The complainant is not diligent in prosecuting the case therefore, the criminal appeal stands dismissed.

19.06.2024

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

mtl



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To

- 1.The Judicial Magistrate No.V, Salem.
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Section Officer, Criminal Section, Madras High Court, Chennai.



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R. HEMALATHA, J.

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