



Crl.RC.Nos.1081, 1082, 1086 & 1088 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.07.2024

CORAM:
THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

Crl.RC.Nos.1081, 1082, 1086 & 1088 of 2024
and Crl.M.P.Nos.9205, 9207, 9213 & 9217 of 2024

Arcor Mohamed Aslam

...Petitioner in all revisions/A3

Vs.

M/s.United Enterprise,
Rep. by its Managing Partner,
Mr.N.Srinivasan,
No.15/3, Bharathi Nagar,
Ranipet,
Ranipet District – 632 403.

...Respondent in all revisions

COMMON PRAYER: Criminal Revision case filed under Section 397 r/w Section 401 of Code of Criminal Procedure to set aside the order dated 09.05.2024 made in C.M.P.Nos.1064, 1068, 1070 and 1066 of 2024 in STC.Nos.384, 382, 383 & 385 of 2020 on the file of the Court of District Munsif cum Judicial Magistrate Ranipet District.

In all cases:

For Petitioner : M/s.T.P.Prabakaran

For Respondent : Mr.K.Koteswaran Rao



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COMMON ORDER

Since the issue involved in the present revision petitions are one and the same they are disposed of by way of this common order.

2. It is the case of the prosecution that in view of the compromise arrived at between the complainant private limited company and the accused private limited company, the accused company agreed to pay a sum of Rs.78,00,000/- as full and final settlement in 9 monthly installments to the complainant company. Towards payment of second installment of Rs.6,00,000/- as per the compromise settlement arrived between them, the accused company issued a cheque bearing No.623212 dated 27.07.2020 and when it was presented for encashment, the same got dishonoured which was also communicated to the complainant on 28.07.2020. Aggrieved against the same, the complainant filed a complaint u/s.138 of Negotiable Instruments Act, 1881 as against the petitioner and others before the District Munsif cum Judicial Magistrate, Ranipet in STC.Nos.384, 382, 383 & 385 of 2020. In the meantime, the petitioner filed petitions u/s.243(1) of Cr.P.C. in C.M.P.Nos.1064, 1068, 1070 and 1066 of 2024 seeking to permit the



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petitioner to let in defence evidence, however, the said petition was dismissed vide respective orders dated 09.05.2024 on the ground that the petitioner and other accused persons were trying to protract the proceedings of the case. Challenging the same, the petitioner is in these revision petitions.

3. Learned counsel for the petitioner submits that though the petitioner has filed the above revisions against the orders dated 09.05.2024 passed in C.M.P.Nos.1064, 1068, 1070 and 1066 of 2024 in STC.Nos.384, 382, 383 & 385 of 2020, however, at the time of arguments, he prayed this Court to dispose of the main cases in STC.Nos.384, 382, 383 & 385 of 2020 which are pending on the file of District Munsif cum Judicial Magistrate, Ranipet by fixing an outer limit time and after affording an opportunity of hearing to the parties.

4. Heard the submissions of the learned counsel appearing for the respondent and perused the materials placed on record.



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5. Considering the fair submission made by the learned counsel for the petitioner, this court without going into the merits of the case, directs the petitioner to appear before the trial Court on the date fixed and let in defence evidences before the trial Court and the respondent is at liberty to cross examine the prosecution witnesses. After production and examination of the witnesses, the trial Court after affording an opportunity of hearing to the parties is directed to dispose of the main cases filed by the complainant on the file of learned District Munsif cum Judicial Magistrate, Ranipet STC.Nos.384, 382, 383 & 385 of 2020 upon the materials placed before it within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, these Criminal Revision Petitions are disposed of. Consequently, connected miscellaneous petitions are closed.

04.07.2024

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No



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The District Munsif cum Judicial Magistrate Ranipet District.



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M.DHANDAPANI, J.

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