



Crl.R.C.No.1707 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

Crl.R.C.No.1707 of 2022

T.Ranganathan

... Petitioner

Vs.

S.Mohan Kumar

... Respondent

Prayer : Criminal Revision Case filed under Section 397 and 401 Cr.P.C, praying to set aside the order passed by the learned Judge Fast Track Court I, Allikulam in Crl.M.P.No.27216 of 2022 by allowing the above petition.

For Petitioner : Mr.C.V.Kumar

For Respondent : Mr.R.Meenakshi Devi

ORDER

This Criminal Revision Case is filed against the order of the Judge, Fast Track Court I, Allikulam dated 10.10.2022 passed in Crl.M.P.No.27216 of 2022 in C.C.No.3356 of 2020.



2. The case of the petitioner is that, the respondent/complainant filed a complaint u/s 138 of Negotiable Instruments Act (in short 'the Act') as against the petitioner/accused in C.C.No.3356 of 2020. During the pendency of C.C., the respondent had filed a petition u/s 143A of the Act in Crl.M.P.No.27216 of 2022 before the trial court seeking to order the petitioner to pay interim compensation to the respondent, which was allowed vide impugned order dated 10.10.2022 directing the petitioner to deposit 20% of the cheque amount of Rs.5 crores towards interim compensation. Challenging the same, the present revision is filed by the petitioner/accused.

3. Learned counsel appearing for the petitioner submitted that, the cheque amount is Rs.5,00,00,000/- and directing the petitioner to deposit of 20% of Rs.5,00,00,000/- is highly excessive and the petitioner is unable to pay the such a huge amount, thereby he has filed this writ petition along with stay petition and this court also granted interim stay of proceedings in C.C. Hence, he submitted that this court may set aside the impugned order and issue a direction to the trial court to dispose of the C.C. within a time frame that may be stipulated by this court.



Crl.R.C.No.1707 of 2022

4. Learned counsel appearing for the respondent submitted that she has no objection for setting aside the impugned order and the court of 19th Metropolitan Magistrate, Chennai may be directed to dispose of the case in C.C.No.3356 of 2020, since the case was transferred to their file.

5. In view of the fair submissions made by the parties, this Court is inclined to pass the following orders :-

(i) the impugned order dated 10.10.2020 passed by the learned Judge, Fast Track Court I, Allikulam, Chennai in Crl.M.P.No.27216 of 2022 in C.C.No.3356 of 2020 is set aside;

(ii) the Court of 19th Metropolitan Magistrate, Chennai is directed to dispose of the main case in C.C.No.3356 of 2020, after providing opportunity to the parties, within a period of three (3) months from the date of receipt of a copy of this order.

6. With the above directions, the Criminal Revision Case is disposed of.

21.06.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
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Crl.R.C.No.1707 of 2022

M.DHANDAPANI, J.

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To

1.The Metropolitan Magistrate, Fast Track Court No.I, Egmore @
Allikulam, Chennai.

2.The 19th Metropolitan Magistrate, Chennai.

Crl.R.C.No.1707 of 2022

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