



Crl.A(MD)No.321 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2024

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.A(MD)No.321 of 2014

Sundarapandian

... Appellant/Complainant

Vs.

S.Setric

... Respondent/Accused

Prayer : This Appeal is filed under Section 378 of Cr.P.C., to call for the records pertaining to the Judgment passed in S.T.C.No.871 of 2012, on the file of the Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai, dated 16.05.2014 and set aside the same.

For Appellant : Mr.S.Manohar

For Respondent : Mr.S.Ramasamy

J U D G M E N T

This appeal has been filed against the Judgment of acquittal passed in S.T.C.No.871 of 2012, on the file of the Judicial Magistrate No.I, Fast Track Court at Magisterial Level, Madurai, dated 16.05.2014.



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2.The private complaint was filed by the appellant herein against the respondent under Section 200 Cr.P.C., stating that the respondent herein borrowed a sum of Rs.1,00,000/- on 15.02.2011, to meet out the family expenses and to improve his business. To discharge the same he issued a cheque dated 18.03.2011. It was presented for payment through the banker of the complainant on 21.03.2011, which came to be returned due to insufficient funds on 23.03.2011. Therefore, after completing the statutory formalities, he filed the present complaint against the first respondent for the offence punishable under Section 138 r/w 142 of the Negotiable Instruments Act.

3.After full trial, the trial Court found the accused not guilty and acquitted him. Against the judgment of acquittal, this appeal has been filed.

4.Pending appeal, the sole appellant died. The learned counsel for the appellant would submit that the legal heirs of the appellant did not come forward to prosecute the appeal.

5.In view of the submission made by the counsel for the appellant, this appeal stands dismissed as abated.

29.10.2024



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Index : Yes/No

Internet : Yes/No

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To

- 1.The Judicial Magistrate No.I, Fast Track Court at Magisterial Level,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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