



CrI.R.C.No. 583 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CrI.R.C.No.583 of 2025

Moideenkutty

... Petitioner

Vs

Sunish

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 r/w 401 of Cr.P.C., to call for the records and set aside the order of dismissal passed in unnumbered STC/2021 dated 23.05.2023 by the learned Principal District Munsif cum Judicial Magistrate, Gudalur, the Nilgiris

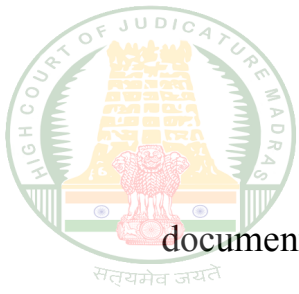
For Petitioner : Mr.P.P.Prakash

For Respondent : No appearance

ORDER

This Criminal Revision Petition has been preferred as against the order passed in unnumbered STC/2021 dated 23.05.2023 by the learned Principal District Munsif cum Judicial Magistrate, Gudalur, the Nilgiris thereby dismissing the complaint for default.

2. Heard the learned counsel appearing for the petitioner and perused the



Crl.R.C.No. 583 of 2025

documents placed on record. Though notice sent to the respondent was served,

there is no representation for the respondent either in-person or through learned counsel.

3. The petitioner is the complainant and the respondent is the accused in the complaint lodged by the respondent for offence under Section 138 of Negotiable Instruments Act. Even the sworn statement in the complaint was dismissed for default on the ground that the petitioner was absent for the past two years. In order to give one more opportunity to the petitioner, the order passed in unnumbered STC/2021 dated 23.05.2023 by the learned Principal District Munsif cum Judicial Magistrate, Gudalur, the Nilgiris is set aside. The trial court is directed to record the petitioner's sworn statement within a period of two weeks from the date of receipt of copy of the order and proceed with the trial. The petitioner is directed to co-operate with the trial court during the trial.

In view of the above, the present Revision is allowed.

15.07.2025

Index : Yes/No;

Neutral citation : Yes/No

Speaking/non-speaking order

G.K.ILANTHIRAIYAN, J.



Crl.R.C.No. 583 of 2025

WEB COPY

ssd

To

1. The Principal District Munsif cum Judicial Magistrate,
Gudalur
2. The Public Prosecutor,
Madras High Court, Chennai.

Crl.R.C.No. 583 of 2025

15.07.2025