



Crl.R.C.No.1163 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2025

CORAM:

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

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Santhi

Represented by her power of attorney holder
and Manager P.Karthikeyan

..... Petitioner

Vs

Promod

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 432 & 442 of BNSS, 2023, praying to set aside the order of dismissal for default imposed in the judgment dated 03.01.2025 made in STC.No.695 of 2024 on the file of the learned District Munsif cum Judicial Magistrate Court, Uthukuli by allowing this criminal revision petition.

For Petitioner : Mr.N.S.Suganthan

ORDER

This Criminal Revision Case has been preferred against the order dated 03.01.2025 passed in STC.No.695 of 2024 on the file of the learned District Munsif cum Judicial Magistrate Court, Uthukuli, thereby dismissed the



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complaint filed by the petitioner for default.

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2. Heard, the learned counsel appearing for the petitioner and perused, all the materials placed before this Court.

3. On perusal of records, it is revealed that the petitioner lodged complaint against the respondent for the offence punishable under Section 138 of NI Act. However, after taking cognizance of the complaint by the trial court, the petitioner failed to appear before the trial court for so many hearings. That apart, the petitioner failed to pay process fee for issuance of notice to the respondent. Hence, the complaint was dismissed for default. However, being satisfied with the reasons stated in the affidavit filed in support of this criminal revision case, in order to give one more opportunity to the petitioner, this Court is inclined to entertain the prayer of the petitioner.

4. Accordingly, the impugned judgment dated 03.01.2025 passed in STC.No.695 of 2024 on the file of the learned District Munsif cum Judicial Magistrate Court, Uthukuli, is set aside and the matter is remanded to the trial court for fresh trial. The petitioner shall pay process fee within a period of one



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week from the date of receipt of copy of this order. Thereafter, the learned

WEB District Munsif cum Judicial Magistrate Court, Uthukuli, is directed to issue notice to the respondent and proceed with trial in accordance with law. The petitioner shall co-operate for trial by appearing on all hearings.

5. With the above directions, this criminal revision case stands allowed.

22.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.
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To
The learned District Munsif cum Judicial Magistrate Court, Uthukuli

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