



Crl.R.C.No.571 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.No.571 of 2023

K.R. Eswaramoorthy

... Petitioner

Versus

G. Ramesh

... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 r/w 401 of Criminal Procedure Code, 1973, to admit the revision petition and call for the records and set aside the order of dismissal in C.C.No.246 of 2018 on the file of the learned Judicial Magistrate (Fast Track Court) Magisterial Level, Tiruppur dated 12.01.2023 and allow the revision petition.

For Petitioner : Mr. N. Nirmalraj

For Respondent : Notice served
No Appearance

ORDER

This revision has been preferred against the order dated 12.01.2023 passed in C.C.No.246 of 2018 on the file of the Judicial Magistrate (FTC, Magisterial Level), Tiruppur, thereby dismissing the complaint as default.



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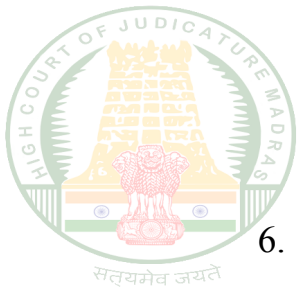
WEB COMPLAINT

2. The learned counsel for the petitioner submits that the alleged complaint was lodged by the petitioner for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 against the respondent. After taking cognizance the Trial Court, dismissed the petitioner's complaint for default when the petitioner failed to appear on 12.01.2023. Hence, the present revision has been filed before this Court.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. Though this Court served notice to the respondent and name was also printed in the cause list, none appeared on behalf of the respondent either in person or through pleader.

5. Considering the submissions made by the learned counsel for the petitioner, and in order to provide one more opportunity to the petitioner put forth his defence, this Court is inclined to set aside the dismissal order dated 12.01.2023 passed in C.C.No.246 of 2018 on the file of the Judicial Magistrate (FTC, Magisterial Level), Tiruppur.



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6. Further, this Court directs the Trial Court to issue a fresh notice to the respondent and proceed with the trial, and complete the same within a period of six months, from the date of receipt of a copy of this order.

7. Accordingly, this Criminal Revision Case is allowed by setting aside the order dated 12.01.2023, passed in C.C.No.246 of 2018 by the learned Judicial Magistrate (FTC, Magisterial Level), Tiruppur.

23.07.2025

Speaking / Non-Speaking Order
Neutral Case Citation : Yes/No
Index : Yes/No

klr

To

1. The Judicial Magistrate (FTC, Magisterial Level), Tiruppur.



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G.K.ILANTHIRAIYAN, J.

klt

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