



Crl.RC.No.903 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED:26.06.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

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S.SakthiMurugan
S/o. Sundaramurthy,
No.33, Mari Ammal Koil Street,
Achirampattu,
Vanur Taluk,
Villupuram District.

...Petitioner

Vs.

N.Sakthivel
S/o. Natarajan
Civil Contractor
Eraiyr Village & Post,
Vanur Taluk,
Villupuram District.

... Respondent

PRAYER: Criminal Revision Petition filed under Section 438 r/w. 442 of BNSS, 2023, to set aside the order dismissing the complaint for default in C.C.No.79 of 2016 dated 03.03.2025 passed by the learned Judicial Magistrate, Vanur and restore the same.

For Petitioner : Ms.S.Sivasankari



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ORDER

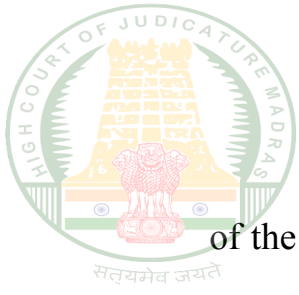
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This Criminal Revision has been filed as against the order passed by the learned Judicial Magistrate, Vanur in C.C.No.79 of 2016 dated 03.03.2025, thereby dismissing the complaint for default.

2. The petitioner had lodged a complaint as against the respondent for the offence punishable under Section 138 NI Act and the same has been taken cognizance by the trial Court in CC No.79/2016. While pending trial, the petitioner as well as the respondent was absent before the trial Court on 03.03.2025. Hence, the Trial Court dismissed the complaint for default.

3. Considering the facts and circumstances of the case, this Court is of the view that the petitioner may be given with one more opportunity to put forth the complaint before the Trial Court, since the CC is of the year 2016.

4. In view of the above, the order dated 03.03.2025 passed by the learned Judicial Magistrate, Vanur in CC No.79/2016 is hereby set aside. The Trial Court is directed to issue fresh summons to the parties and complete the trial within a period of six months from the date of appearance



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of the respondent. The appellant shall co-operate with the Trial Court for the expeditious disposal of the case.

6. In the result, this Criminal Appeal stands allowed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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bkn

To
1. The Judicial Magistrate, Vanur.

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