



CrI.R.C.No.1235 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

CORAM:

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

CrI.R.C.No.1235 of 2025

Pramod Kumar Daga

..... Petitioner

Vs

1.M/s.Insulation House,
Rep. By Meenakshi Davey, Partner,
No.29, Narsingapuram Street,
1st Floor, Mount Road,
Chennai 600 002
2.Meenakshi Devey
3.Chandrakant P.Devey
4.Prakash R.Devey

..... Respondents

PRAYER: Criminal Revision Case is filed under Sections 397 & 401 of Cr.P.C., praying to exercise powers of revision under Sections 397 & 401 of Cr.P.C., calling for the records and to set aside the impugned order dated 06.07.2023 passed in CrI.MP.No.21365 of 2018 in CA.SR.No.24543 of 2018 on the file of the Principal Sessions Judge, City Civil Court, Chennai.

For Petitioner : Mr.N.R.Anantha Rama Krishna

For Respondents : Mr.A.Thirumaran

ORDER



Crl.R.C.No.1235 of 2025

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This Criminal Revision Case has been filed against the order dated 06.07.2023 passed in Crl.MP.No.21365 of 2018 in CA.SR.No.24543 of 2018 on the file of the Principal Sessions Judge, City Civil Court, Chennai, thereby dismissed the petition to condone the delay in preferring appeal against the order of acquittal.

2. Heard, the learned counsel appearing on either side 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 offences punishable under Section 138 of NI Act in CC.No.2267 of 2014. However, it was dismissed, thereby acquitting the respondent for the offence punishable under Section 138 of NI Act. Aggrieved by the same, the petitioner preferred appeal before the District Court with delay of 27 days. It was dismissed on the ground that the appeal against the acquittal itself is not maintainable before the District Court and as such, the delay petition was also dismissed.

4. However, in view of the recent development, the petitioner, being



Crl.R.C.No.1235 of 2025

the complainant, can be treated as a victim in the proceedings arising out of

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Section 138 of NI Act and as such, he can file appeal against the order of acquittal before the District Court, before which an appeal ordinarily lies as contemplated under the proviso of Section 372 of Cr.P.C. In view of the same, the impugned order cannot be sustained and the same is liable to be set aside. Accordingly, the impugned order dated 06.07.2023 passed in Crl.MP.No.21365 of 2018 in CA.SR.No.24543 of 2018 on the file of the Principal Sessions Judge, City Civil Court, Chennai, is set aside. The appellate court is directed to number the appeal and proceed with the appeal in accordance with law.

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

26.08.2025

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

G.K.ILANTHIRAIYAN, J.



Crl.R.C.No.1235 of 2025

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To

1.The Principal Sessions Judge, City Civil Court, Chennai

2.Meenakshi Davey,

Partner,

M/s.Insulation House,

No.29, Narsingapuram Street,

1st Floor, Mount Road,

Chennai 600 002

Crl.R.C.No.1235 of 2025

26.08.2025