



Crl. R.C. No. 1398 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl. R.C. No. 1398 of 2025

P.K. Balaji

... Petitioner

Vs.

B. Durairaj

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 & 442 of BNSS, to call for the records pertaining to the impugned order passed by the Judicial Magistrate No.1, Panruti in S.T.C.No.376 of 2022 dated 15.05.2025 and to set aside the same and consequently issue suitable direction to the Judicial Magistrate No.1, Panruti to decide the S.T.C.No.376 of 2022 on merits affording opportunity to the petitioner to pass such further or other orders as this Court may deem fit to pass in the circumstances of the case and thus render justice.

For Petitioner : Mr. D. Babu Varadharajan



Crl. R.C. No. 1398 of 2025

ORDER

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This Criminal Revision Case has been preferred as against the order passed in S.T.C.No.376 of 2022 dated 15.05.2025 on the file of Judicial Magistrate No.1, Panruti, thereby dismissed the complaint for default.

2. The petitioner lodged complaint as against the respondent for the offence punishable under Section 138 of Negotiable Instruments Act and the same has been taken cognizance by the trial Court. Thereafter, the petitioner was unable to proceed further and failed to let in evidence. Therefore, the complaint was dismissed for non prosecution.

3. In order to give one more opportunity to the petitioner, this Court is inclined to set aside the order passed in S.T.C.No.376 of 2022 dated 15.05.2025 on the file of Judicial Magistrate No.1, Panruti. Accordingly, set aside.

4. The matter is remanded back to the trial Court for fresh



Crl. R.C. No. 1398 of 2025

WEB COPY

disposal, on merits and in accordance with law. It is made it clear that the petitioner shall file his proof affidavit, on the next hearing date and co-operate for trial before the trial Court.

5. With the above direction, this Criminal Revision Case is allowed.

12.08.2025

Index : Yes/No
Neutral citation : Yes/No
AT

To
The Judicial Magistrate No.1, Panruti.



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CrI. R.C. No. 1398 of 2025

G.K.ILANTHIRAIYAN, J.

AT

CrI. R.C. No. 1398 of 2025

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