



Crl.RC.No.1504 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 20.08.2025

CORAM

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

Crl.RC.No.1504 of 2025
and Crl.M.P.Nos.15840 & 15841 of 2025

S.Somasundaram Appellant

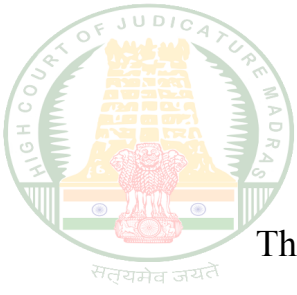
Vs

C.Subramaniam Respondent

Prayer: Criminal Appeal is filed under Section 438 r/w. 442 of BNSS, 2023, to set aside the judgment and conviction dated 20.06.2025 made in C.A.No.239 of 2023 on the file of the I Additional District Judge, Erode confirming the judgment and conviction dated 22.04.2022 made in S.T.C.No.452 of 2019 on the file of the Judicial Magistrate (Fast Track Court No.II)),Erode.

For Appellant : Ms.Revathi Manivannan

JUDGMENT

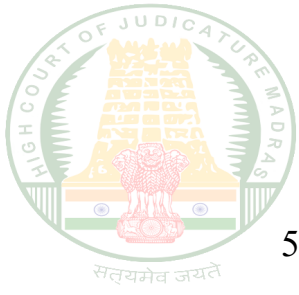


This appeal has been preferred as against the order 20.06.2025 made in C.A.No.239 of 2023 on the file of the I Additional District Judge, Erode, thereby dismissing the appeal.

2. The appellant lodged a complaint against the respondent for the offence punishable u/s 138 of the Negotiable Instruments Act. The complaint was taken cognizance by the Trial Court in STC.No.452/2019 and the same was allowed. Aggrieved by the same, the appellant herein had preferred an appeal in C.A.No.239/2023. However, the appellant failed to appear before the trial court on 20.06.2025. Hence, the Trial Court dismissed the appeal.

3. Considering the facts and circumstances of the case, this Court is of the view that the appellant may be given with one more opportunity to put forth the appeal before the lower appellate Court, since the appeal is of the year 2023.

4. In view of the above, the order 20.06.2025 made in C.A.No.239 of 2023 on the file of the I Additional District Judge, Erode, is hereby set aside and the matter is remanded back to the lower appellate Court and the appellant shall co-operate for the expeditious disposal of the appeal.



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5. In the result, this Criminal Appeal stands allowed. Connected

miscellaneous petitions are closed.

20.08.2025

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

To:

1. The I Additional District Judge, Erode.



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G.K.ILANTHIRAIYAN, J.

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