



Crl.A.No.775 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 03.07.2025

CORAM

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

Crl.A.No.775 of 2025

V.Sivaraman

.....Appellant / Complainant

Vs

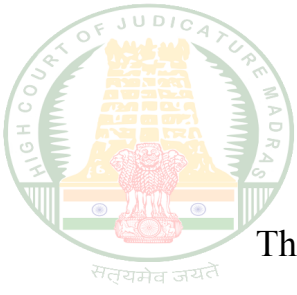
S.Karthikeyan

.... Respondent/Accused

Prayer: Criminal Appeal filed under Section 419 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the judgment dated 23.08.2024 in S.T.C.No.9994 of 2022 passed by the file of the Metropolitan Magistrate cum Fast Track Court – II, Egmore at Allikulam.

For Appellant : Mr.R.Senthilkumar

JUDGMENT

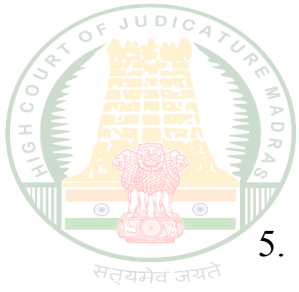


This Criminal Appeal has been preferred as against the judgment dated 23.08.2024 in S.T.C.No.9994 of 2022 passed by the learned Metropolitan Magistrate cum Fast Track Court – II, Egmore at Allikulam, thereby dismissing the complaint filed by the appellant.

2. The appellant is the complainant and the respondent is the accused in the complaint lodged by the appellant for the offence punishable under Section 138 of Negotiable Instruments Act. Pending trial, the appellant was absent before the trial Court on 23.08.2024 and therefore the trial Court has dismissed the complaint and acquitted the respondent.

3. The learned counsel for the appellant would submit that the trial is pending from the year 2022. On the date of hearing the appellant could not be able to appear before the trial Court and if one opportunity is granted the appellant would contest his case.

4. Considering the facts and circumstances of the case, this Court is inclined to give one more opportunity to the appellant to put forth his complaint before the trial Court.



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5. Accordingly, this Criminal Appeal is allowed and judgment dated

23.08.2024 in S.T.C.No.9994 of 2022 passed by the learned Metropolitan

Magistrate cum Fast Track Court – II, Egmore at Allikulam is hereby set aside.

The learned trial Judge shall proceed with the trial and the appellant shall co-operate for the trial.

03.07.2025

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

To

Metropolitan Magistrate cum Fast Track Court – II, Egmore at Allikulam



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G.K.ILANTHIRAIYAN, J.

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