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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.10.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C. No.1938 of 2025 and

Crl.M.P.No. 18580 of 2025

1. M/s Electrical and motor Works Petrol Division
rep by its Proprietor Mr.M. Navas, Authorised Signatory
Ayathi Post, Kollam,
Kerala – 691 007

2. Mr.M. Navas

...Petitioner

Vs

M/s Green Malabar Finance Ventures Ltd.,
rep by its Director Suresh Gurumani,
Awifs Space Sollutions primus building,
Door No.@p-7A, Room No.207,
2nd Floor, Guindy Industrial Estate,
Chennai – 600 032.

Duly represented by its authorized Signatory

..Respondent

Prayer: This Criminal Revision petition is filed under Section 397 R/W 401 of Cr.P.C to set aside the order made in Crl.A. No.853/ 2024 on the file of XV Additional Judge, Chennai dated 01.08.2025 by confirming the Judgment passed in S.T.C.No.7681 of 2022 by the learned Metropolitan Magistrate XXV, Egmore, Chennai dated 25.09.2022.

For Appellant : Mr.M.R. Franklin

ORDER



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This criminal revision has been filed to set aside the order made in CrI.A. No.853/ 2024 on the file of XV Additional Judge, Chennai dated 01.08.2025 by confirming the Judgment passed in S.T.C.No.7681 of 2022 by the learned Metropolitan Magistrate XXV, Egmore, Chennai dated 25.09.2022.

2.The brief facts of the case are as follows:

The petitioner availed loan from the respondent to a tune of Rs.30,00,000/- and there was some default in payment of loan. Hence, the respondent filed S.T.C.No.7681 of 2022 on the file of the learned Metropolitan Magistrate XXV, Egmore, Chennai and the same was allowed on 25.09.2022 by convicting the petitioner to undergo one year simple imprisonment and to pay the cheque amount of Rs.31,91,311/- as compensation to the respondent u/s 357(3) of Cr.Pc in default to under go 3 months imprisonment. Aggrieved over the same the petitioner filed CrI.A.No.853 of 2024 before the learned Additional Judge, Chennai and the same was dismissed for default on 01.08.2025. Hence this petition.

3. Today when the matter is taken up the learned counsel for the petitioner submitted that they will deposit a sum of Rs.3,00,000/-

4. On perusal of records it is seen that the petitioner herein was absent



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for several hearing. However, in order to give one more opportunity to the petitioner, this Court passes the following order:

(a) the petitioner is directed to deposit Rs.3,00,000/- as compensation to the credit of S.T.C.No.7681 of 2022 on the file of the learned Metropolitan Magistrate XXV, Egmore, Chennai without prejudice his defence, within a period of three weeks from the date of receipt of a copy of this order. On such deposit being made the complainant is permitted to withdraw the same on proper identification, in the manner known to law. The Court below is directed to restore the above criminal appeal after the payment made by the petitioner.

5. With the above directions, this Criminal Revision case is allowed and the Judgment passed in CrI.A. No.853/ 2024 on the file of XV Additional Judge, Chennai is hereby set aside. Consequently the connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
smn

07.10.2025

T.V.THAMILSELVI.,J
smn



To.

1. M/s Green Malabar Finance Ventures Ltd.,
Awifs Space Sollutions primus building,
Door No.@p-7A, Room No.207,
2nd Floor, Guindy Industrial Estate,
Chennai – 600 032.

2. The XV Additional Judge, Chennai Metropolitan Magistrate XXV,
Egmore, Chennai.

3. The Metropolitan Magistrate XXV, Egmore, Chennai

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