

Crl. R.C.No.1337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 07.08.2025

Coram:

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl. R.C.No.1337 of 2025

S.Mohankumar

...Petitioner

Vs.

E.Velu

...Respondent

Prayer:

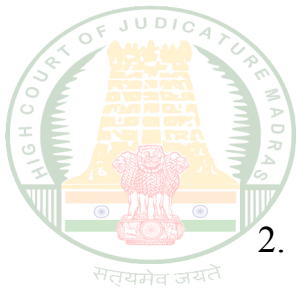
Criminal Revision filed under Section 438 r/w 442 of BNSS Act, 2023 to set aside the order dated 09.08.2024 made in Crl.M.P.No.87 of 2023 in STC SR.No.126 of 2022 on the file of learned Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai and consequently return the vehicle and allow the revision.

For Petitioner

: Mr.R.Rajadurai

ORDER

This Criminal Revision has been preferred as against the order dated 09.08.2024 made in Crl.M.P.No.87 of 2023 in STC SR.No.126 of 2022 on the file of learned Metropolitan Magistrate, Fast Track Court-I, Egmore, at Allikulam, Chennai thereby dismissing the petition to condone the delay in filing the complaint.



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2. Heard the learned counsel for the petitioner and perused the

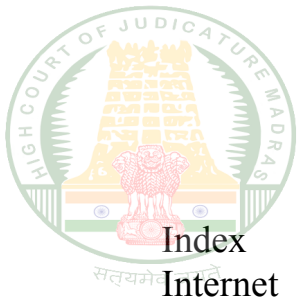
documents placed on record carefully.

3. The petitioner is the complainant and lodged a complaint as against the respondent for offences under Section 138 of Negotiable Instruments Act with the delay petition. Further, while the petition to condone the delay was taken up for hearing before the trial court, the petitioner failed to appear before the trial court and also did not make any payment of process to issue notice, therefore, the trial court rightly dismissed the petition for default.

4. Considering the above said facts and circumstances of the case and in order to give one more opportunity to the petitioner, this Court is inclined to set aside the order dated 09.08.2024 made in Crl.M.P.No.87 of 2023 passed by the learned Metropolitan Magistrate, Fast Track Court-I, Egmore at Allikulam, Chennai and the matter is remanded back to the trial court for fresh disposal on condition that the petitioner shall pay the process fee forthwith and appear before the trial court and co-operate with trial.

Accordingly, the present Revision is allowed.

07.08.2025



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Index : Yes / No

Internet : Yes / No

WEB Speaking Order / Non Speaking Order

ssd

To

1.The Metropolitan Magistrate,
Fast Track Court-I, Egmore at Allikulam

2. The Public Prosecutor,
High court, Madras

G.K.ILANTHIRAIYAN, J.



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