



WEB COPY

CRL RC No. 1880 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 1880 of 2025

M/s. Keerthi Enterprises,
Rep by its Prop. K.Barandhaman,
No.23/A, K.K.Nagar, Ganapathypuram,
Srinivasapuram, Guduvancherry,
Chennai. 603203.

Petitioner(s)

Vs

M/s. K.B.Associates
Its Prop Mr.Kalpesh B.Jain, Rep by its
Power Agent Mr. S.Hari Krishnan,
No.18, Hunters Road, Vepery,
Chennai - 600007.

Respondent(s)

PRAYER

To call for the records and set aside the order dated 18.08.2025 in Crl.MP.no.7625/2025 passed by the learned Principal Sessions Judge, City Civil Court, Chennai.

For Petitioner(s): Mr.K.Selvam



ORDER

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Challenging the impugned order dated 18.08.2025 passed in Crl.M.P.No.7625 of 2025 passed by Principal Sessions Judge, City Civil Court, Chennai, the petitioner preferred this Criminal Revision Case.

2. The learned counsel for petitioner would submit that there is a delay of 232 days in representing the Criminal Appeal before the first appellate court. Hence, the first appellate court was not inclined to condone the delay and imposed a cost of Rs.500/- and also directed him to surrender before the trial court. The learned counsel would submit that he is having valid defence to prove his case, but due to lack of communication from his counsel and also due to misplace of bundle, the delay was occurred. Hence, he prayed to set aside the findings of first appellate court.

3. On perusal of records, the fact reveals that the respondent/complainant initiated the proceedings under Sec.138 of Negotiable Instruments Act for dishonour of cheque for a sum of Rs.6,55,000/-. Before the trial court, he was convicted, against which, he preferred an appeal, but not within a stipulated time. According to him, still he is having valid defence. The learned counsel for petitioner would submit that there is no enforceable debt between them. So, if opportunity is not given to him, his valuable right to defend the case will be



defeated. Therefore, this Court is inclined to condone the delay with a condition to deposit a sum of Rs.3,00,000/- before the first appellate court in Crl.M.P.No.7625 of 2025 within a period of four weeks from the date of receipt of copy of this order and on such deposit, the Criminal Appeal is ordered to be taken on file. Accordingly, this Criminal Revision Case is allowed.

06-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

Principal Sessions Judge, City Civil Court, Chennai.



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T.V.THAMILSELVI J.

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