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Crl.R.C.No.3 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.3 of 2025

V.Bharathimohan

... Petitioner

Vs.

S.Muthuvel

... Respondent

PRAYER: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS, to set aside the order of dismissal in Crl.M.P.No.1667 of 2024 dated 29.10.2024 on the file of the learned Judicial Magistrate Court, Thiruvarur.

For Petitioner : Mr.P.Muthamizhselvakumar

ORDER

The revision challenges the order passed by the learned Judicial Magistrate, Tiruvarur by which, the petitioner was directed to pay a sum of Rs.1,000/- as cost for condoning the delay of 21 days in filing the complaint under Section 138 of the Negotiable Instruments Act.



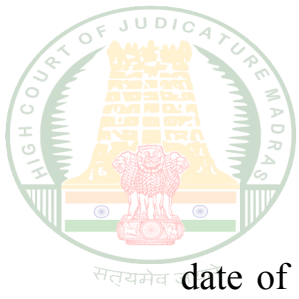
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2.The learned counsel for petitioner would submit that the petitioner was not aggrieved by the conditional order but could not deposit the cost within the time stipulated by the learned Magistrate and hence, the petition was dismissed automatically and prayed for an opportunity to contest the case on merits.

3.This Court is of the view that one more opportunity can be granted to the petitioner to pay the cost. However, in view of the delay caused by the petitioner, this Court is of the view that the petitioner can be directed to pay the cost of Rs.2,500/-.

4.Accordingly, the impugned order dated 29.10.2024 passed in CrI.M.P.No.1667 of 2024 by the learned Judicial Magistrate, Thiruvarur is set aside and the petitioner is directed to pay the cost of Rs.2,500/- to the District Legal Service Authority, Thiruvarur within a period of two weeks from the



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date of receipt of a copy of this order and on such payment, the petition to

condone the delay shall be ordered.

5. With the above direction, the Criminal Revision Case is allowed.

06.01.2025

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

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To

The Judicial Magistrate,
Thiruvarur.

Copy to:

The Secretary,
Legal Service Authority,
Thiruvarur.



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SUNDER MOHAN, J.

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