



Crl.M.P.(MD)No.4889 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.M.P.(MD)No.4889 of 2025
in
Crl.A.(MD)SR.No.12636 of 2025
and
Crl.A.(MD)SR.No.12636 of 2025

Victor Samraj Duraisingh

... Petitioner/
Appellant

Vs.

F.Joseph

...Respondent/
Respondent

Prayer in Crl.M.P.(MD)No.4889 of 2025 : The Criminal Miscellaneous Petition filed under Section 5 of Limitation Act, to condone the delay 1930 days in filing the criminal appeal against the judgment of acquittal in Crl.Appeal No.63 of 2017 on the file of I Additional District and Sessions Judge, Thoothukudi dated 27.10.2017 by which confirming the judgment of acquittal in C.C.No.321 of 2012 on the file of learned Fast Track Court (Magisterial Level), Thoothukudi dated 12.12.2013.



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Prayer in Crl.A.(MD)No.SR12636 of 2025 : The Criminal Appeal filed under Section 419(4) B.N.S.S., to call for the records and set aside the dismissal order of Crl.Appeal No.63 of 2017 on the file of I Additional District and Sessions Judge, Thoothukudi dated 27.10.2017 by which confirming the judgment of acquittal in C.C.No.321 of 2012 on the file of learned Fast Track Court (Magisterial Level), Thoothukudi, dated 12.12.2013 and consequently restore the criminal appeal on its file.

(in both cases)

For Petitioner : Mr.S.Deenadhayalan

For Respondent : No appearance

COMMON ORDER

When the matter is taken up for hearing today, the learned counsel appearing for the petitioner would submit that the respondent / accused was reported dead.

2. Since the respondent was acquitted for the offence under Section 138 of the Negotiable Instruments Act, the petitioner / complainant has preferred the present appeal along with the above petition to condone the delay. Since the respondent was reported dead, this Criminal Miscellaneous Petition stands dismissed as abated. Consequently, Crl.A.



Crl.M.P.(MD)No.4889 of 2025

(MD)SR.No.12636 of 2025 stands rejected at the SR stage itself.

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17.09.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

- 1.The I Additional District and Sessions Judge,
Thoothukudi.
- 2.The Judicial Magistrate,
Fast Track Court (Magisterial Level),
Thoothukudi.



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Crl.M.P.(MD)No.4889 of 2025

K.MURALI SHANKAR,J.

csn

Order made in
Crl.M.P.(MD)No.4889 of 2025
in Crl.A.(MD)SR.No.12636 of 2025
and Crl.A.(MD)SR.No.12636 of 2025

Dated : 17.09.2025