



CRL MP(MD) NO. 105 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) NO. 105 of 2025

IN

CRL A(MD) SR No. 39019 OF 2021

C.Palanisamy
S/o. Sadasivam,
No.71H/6A-Kallathupatty,
Madurai Road, Manapparai Taluk,
Tiruchirappalli District.

Petitioner

Vs

R.Vasudevan
S/o. Ramasamy, No. 56,
Thekkamalaikoilpatty, Vaiyampatty,
Manapparai Taluk, Tiruchirappalli District.

Respondent

For Petitioners: M/s.I.Santhiyanantham
For Respondent: No appearance

ORDER

This Criminal Miscellaneous Petition is filed to condone the delay of 928 days in representing the Criminal Appeal in Crl.A(MD)SR.No.39019 of 2021.

2.This petitioner has filed a private complaint as against the respondent before the learned Judicial Magistrate, Manapparai, for the offence under Section 138 of Negotiable Instruments Act,1881. The complaint of the petitioner herein has been taken cognizance by the learned Judicial Magistrate in STC No.67 of 2019. After a full-fledged trial, the learned Magistrate has found the respondent guilty of the



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offence under Section 138 of NI Act, 1881 and passed an order of conviction, directing the respondent to undergo simple imprisonment for nine months and to pay compensation of Rs.1,75,000/-. As against the order of conviction, the respondent has preferred an appeal before the Additional District Sessions Court, Trichy in Crl.A.No.147 of 2019 and the same was allowed by a Judgment, dated 13.09.2021. Challenging the judgment of the first Appellate Court, the petitioner is intending to file an appeal, however, there is a delay of 928 days. To condone the same, this Miscellaneous Petition is filed.

3.The learned counsel appearing for the petitioner submits that the petitioner has not conveyed the order passed by the trial Court and therefore, he was not able to follow up the case. He further submits that there was some delay in obtaining the certified copies from the trial Court and the Appellate Court for filing this appeal. Thus, there is a delay of 928 days in filing the appeal. The learned counsel claims that he is having some arguable points in the appeal that the trial Court has found the appellant guilty and therefore, he must be provided liberty by entertaining the appeal.

4.Despite service of notice, there is no representation for the respondent.

5.This Court considered the submissions of the learned counsel for the petitioner, however, not satisfied with the reasons assigned by the learned counsel.



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6. Since this petitioner claims that he is having some arguable points in the appeal, this Court is inclined to allow this application with a condition that the petitioner shall pay a sum of Rs.10,000/- (Rupees Ten Thousand) to "The Commissioner, Madurai Corporation, Aringar Anna Maligai, Tallakulam, Madurai - 625 002, Canara Bank, Account No.110197467504, IFSC Code: CNRB0003041, MICR Code: 625015017", within a period of two weeks from the date of receipt of a copy of this order, in default, this petition will automatically stands dismissed. The amount shall be utilized by the Commissioner of Madurai Corporation, for the purpose of making necessary improvements in the Study Centre, Madurai Corporation.

sd/-
06/02/2025

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/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO
THE COMMISSIONER, MADURAI CORPORATION,
ARINGAR ANNA MALIGAI,
TALLAKULAM,
MADURAI - 625 002.



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ORDER IN
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IN
CRL A(MD) SR No. 39019 OF 2021
Date :06/02/2025

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