



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 31.08.2019

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

**Crl.A.(MD)No.143 of 2009**

A.M.Gopalan,  
Managing Director,  
Sree Gokulam Chit & Finance Co (P) Ltd.,  
Chennai  
Represented by Authorised Agent  
M.Kumarasamy Pillai,  
Assistant Business Manager,  
Sree Gokulam Chit & Finance Co (P) Ltd.,  
Ramasubramaniam Shopping Complex,  
Nagercoil -1, Kanyakumari District.

... Appellant/  
Complainant

Vs.

K.Sivan

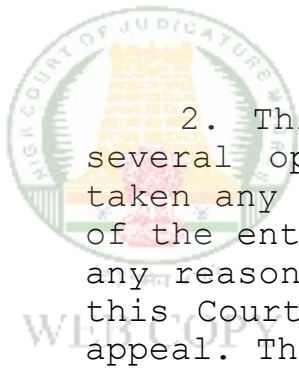
... Respondent/  
Accused

**PRAYER:** Criminal Appeal is filed under Section 378 of the Code of Criminal Procedure to set aside the order passed in S.T.C.No.3327 of 2006 dated 10.08.2007 on the file of the Judicial Magistrate No.3, Nagercoil, Kanyakumari District.

For Appellant	: Mr.B.Bijesh Kishore
For Respondent	: No Appearance

**J U D G M E N T**

The appellant is the complainant. The respondent is the accused. The appellant filed a private complaint under Section 200 of Cr.P.C. for the offence under section 138 of the Negotiable Instruments Act against the respondent. The learned Magistrate dismissed the complaint on the ground that the complainant has not appeared. The complaint was originally filed in the year 2006. Till 2007, the complaint was pending and the same was dismissed on the ground of non appearance of the complainant. Challenging the said judgment, the complainant has filed the present appeal before this Court.



2. This Appeal is pending for more than ten years. Despite several opportunities having been given, the appellant has not taken any effective steps to proceed with the appeal. On a reading of the entire records, it is seen that the appellant has not given any reason as to why he has not appeared on that date. Therefore, this Court finds that there is no sufficient reason to allow the appeal. Therefore, the appeal is dismissed.

Sd/-

Assistant Registrar (CRL.SIDE)

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/ /2020

Sub Assistant Registrar(CS)

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To

The Judicial Magistrate No.3,  
Nagercoil, Kanyakumari District.

COPY TO

The Section Officer-2 copies  
Criminal Section(Records)  
Madurai Bench of Madras High Court, Madurai

Judgment made in  
**Crl.A.(MD)No.143 of 2009**

Dated:  
**31.08.2019**

KM/ (22.01.2020) 2P 4C