

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.28922 of 2015

Dr.S.Rajagopal

... Petitioner

Vs

A.Chidambaram

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Fast Track Metropolitan Magistrate Level Court, George Town, Chennai, to complete the trial of the case in C.C.No.9262 of 2007 expeditiously.

For Petitioner : Mr.C.K.M.Appaji

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the Fast Track Metropolitan Magistrate Level Court, George Town, Chennai, to complete the trial of the case in C.C.No.9262 of 2007 expeditiously.

2. It is the case of the petitioner that he has filed a private complaint as against the respondent under Section 138 of the Negotiable Instruments Act and the same was numbered as C.C.No.9262 of 2007 and is pending before the Fast Track Court, Metropolitan Magistrate Level Court, George Town, Chennai for the past eight years. Hence, the present petition.

3. Learned counsel appearing for the petitioner submitted that though the petitioner has filed proof affidavit as early as in the year 2008 itself, the respondent has not chosen to cross examine the petitioner and sought time years together. After questioning under Section 313 Cr.P.C., the respondent filed petition to recall P.W.1 and P.W.1 was cross examined only on 10.03.2015. Even after completion of cross examination, the respondent filed number of petitions under Section 91 Cr.P.C. for production of unrelated documents and all the applications were repeatedly dismissed. In spite of the same, the respondent was keeping on filing unnecessary applications and seeking adjournments, thereby dragging the case for the past eight years.

Hence, he sought for a direction to the Fast Track Metropolitan Magistrate Level Court, George Town, Chennai, to complete the trial of the case in C.C.No.9262 of 2007 expeditiously.

4. In view of the limited order going to be passed hereunder, this Court is of the opinion that there is no need for this Court to issue notice to the respondent.

5. Considering the facts and circumstances of the case, the Fast Track Metropolitan Magistrate Level Court, George Town, Chennai, is directed to expedite the trial of the case in C.C.No.9262 of 2007 and complete the same as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order. The Criminal Original Petition is disposed of accordingly.
sbi

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

The Fast Track Metropolitan Magistrate
Level Court,
George Town, Chennai.

+1 C.C. To MR.C.K.M.Appaji, Advocate in SR.NO.65847

सत्यमेव जयते

Cr1.O.P.No.28922 of 2015

SVI (CO)

sd : 22/12/2015

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