

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.29531 of 2015

S.Jawahar

... Petitioner

Vs

S.Balakrishnan

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate, Udhagamandalam, The Nilgiris to expedite the trial in S.T.C.No.861 of 2013 and complete the same within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Bharathi Raja

ORDER

The present criminal original petition has been filed by the petitioner seeking a direction to the learned Judicial Magistrate, Udhagamandalam, The Nilgiris to expedite the trial in S.T.C.No.861 of 2013 and complete the same within a stipulated time as may be fixed by this Court.

2. It is the case of the petitioner that he has filed a private complaint under Section 138 of the Negotiable Instruments Act against the respondent herein before the learned Judicial Magistrate, Udhagamandalam, The Nilgiris and the same was numbered as C.C.No. 861 of 2013. In the said case, the petitioner filed proof affidavit in March 2014 itself and P.W.1 was examined in chief. However, at the instance of the respondent, the matter is being adjourned from time to time for cross examination of P.W.1 and the respondent is unnecessarily dragging on the matter under one pretext or the other. Hence, the petitioner has come up with the present petition seeking a direction to the learned Judicial Magistrate, Udhagamandalam, The Nilgiris to expedite the trial in S.T.C.No.861 of 2013 and complete the same within a stipulated time.

3. Heard the learned counsel appearing for the petitioner. In view of the limited order going to be passed

hereunder, this Court is of the opinion that there is no need to issue notice to the respondent.

4. Considering the facts and circumstances of the case, this Court directs the learned Judicial Magistrate, Udhagamandalam, The Nilgiris to expedite the trial of the case in S.T.C.No.861 of 2013 pending on his file and complete the same 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.

Sd/-  
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Judicial Magistrate,  
Udhagamandalam, The Nilgiris.

2.The Chief Judicial Magistrate,  
Udhagamandalam, The Nilgiris.

+1 cc to Mr.J.Bharathiraja, Advocate, sr.66999

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ctk co  
kra 05.01.2016

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