

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.O.P. No.23571 of 2016

Kamala Dhiran
Proprietor of M/s. Steel Agencies
rep by power Agent Monoharlal Dhiran

Petitioner

Vs

D.Valan Kumar

Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Fast Track Court No.IV Magistrate, George Town, Chennai to dispose of the case in C.C.No.2683 of 2010.

For petitioner : Mr.V.V.Sairam

O R D E R

This petition has been filed to direct the learned Fast Track Court No.IV Magistrate, George Town, Chennai to dispose of the case in C.C.No.2683 of 2010.

2. Pursuant to the direction issued by this Court, the Metropolitan Magistrate, FTC-IV, George Town, Chennai has sent a report dated 07.11.2016, the relevant portion of which is as under:

"3. On 06.09.2016, the case was advanced and since the accused surrendered and filed a recall petition, NBW was recalled and the Next Date of Hearing was advanced from the 30.11.2016 to 27.09.2016 and the complainant was intimated about the said hearing date. On 27.09.2016, a joint memo was filed by the counsels for both the parties that they are trying to sort out the issue for amicable settlement and sought for an adjournment to 24.10.2016 and the adjournment was granted. And on the 24.10.2016 also again adjournment was sought for the settlement and hence the said C.C.No.2683 of 2010 was posted on 14.11.2016 for settlement.

4. I humbly submit your Honour that on the next date of hearing (i.e.) 14.11.2016, if the parties had not settled as per their

counsels request, the case will be proceeded for the Cross of P.W.-1, which is the earlier stage and the main case itself would be completed at the earliest on the day to day basis. I humbly request your Honour to accept the above in compliance of the report called for in Ref.No.1 and I am also annexing the copy of the joint memo filed in my court by both the counsels on 27.09.2016."

3. This Court is satisfied with the explanation given by the Metropolitan Magistrate, FTC-IV, George Town, Chennai and the Magistrate is directed to proceed with the case, in the event of the settlement talks failing. The Metropolitan Magistrate shall also obtain a bond from the accused u/s 88 Cr.P.C. without sureties, so that if the accused absconds, a fresh FIR can be registered u/s 229-A IPC.

With the above direction, this petition is closed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

gms

To

The Metropolitan Magistrate,
Fast Track Court No.IV, George Town, Chennai.

1 cc to Mr.V.V. Sairam, Advocate, Sr. 64733

Cr1.OP No.23571 of 2016

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