

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Cr1.O.P.No.27013 of 2016

G.Arumugam

..Petitioner/Complainant

vs.

1.Lydia Devakirubai

2.Laurance Inbaraj

..Respondents/Accused Nos.1&2

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Judicial Magistrate - I, Krishnagiri to expedite the trial in C.C.No.428 of 2008 on day to day basis within stipulated time period as may be fixed by this Court.

For Petitioner : Mr.T.Sundaravadanam

O R D E R

This petition has been filed seeking direction to the learned Judicial Magistrate No.1, Krishnagiri, to expedite the trial in C.C.No.428 of 2008 within a stipulated period of time.

2.The petitioner is the complainant who lodged the complaint against the respondents / accused 1 and 2 for default of non-payment of cheque amount towards construction charges as assured by them, as per the agreement entered into between them. The complaint was taken on file in C.C.No.428 of 2008 and it is still pending. In the meanwhile, the accused moved an interim application for expert opinion, which was dismissed by the trial Court, against which a revision petition was filed before this Court which was also, later, withdrawn. Despite sincere efforts taken by the petitioner to get the trial expedited, on account of non-cooperation of the respondents, the trial could not proceed.

3.According to the petitioner, since the complaint is of the year 2008 and no effective steps being taken by the respondents to complete the trial, the petitioner was constrained to file

the present petition for speedy disposal of the case before the trial Court.

4. In view of the aforesaid facts and also taking into consideration that the case is of the year 2008, the trial Court, viz., learned Judicial Magistrate No.1, Krishnagiri, is directed to consider the prayer of the petitioner / complainant for speedy disposal of the case in C.C.No.428 of 2008, as expeditiously as possible, fixing the upper limit as six (6) months. This Criminal Original Petition is, accordingly, disposed of.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Judicial Magistrate No.1,
Krishnagiri.
2. -do- Thro' The Chief Judicial Magistrate,
Krishnagiri.
2. The Public Prosecutor,
High Court of Madras,
Chennai 600 104.
- + 1cc to Mr.T. Sundaravadanan, Advocate SR.76172

CRL.O.P. No.27013 of 2016

VGI (CO)
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