



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM

Crl.O.P. (MD) No.22753 of 2016

Vijayalakshmi

.... Petitioner/Accused

Vs.

S. Balamurugan

.... Respondent/Complainant

Prayer: Petition is filed under Section 482 of Cr.P.C., to set aside the order, dated 01.02.2014 in Crl.RC.No.2 of 2014 on the file of the learned Additional District and Sessions Judge, Dindigul confirming the order, dated 27.08.2013 in Cr.M.P.No.4976 of 2011 in C.C.No.115 of 2011 on the file of the learned Judicial Magistrate No.I, Dindigul and to allow the Cr.M.P.No.4976 of 2011 on the file of the learned Judicial Magistrate No.I, Dindigul District.

For petitioner : Mr. J. Vijayaraja

O R D E R

This petition is filed to set aside the order passed by the Additional District and Sessions Judge, Dindigul in Crl.RC.No.2 of 2014 confirming the order, dated 27.08.2013 in Cr.M.P.No.4976 of 2011 in C.C.No.115 of 2011 on the file of the learned Judicial Magistrate No.I, Dindigul.

2. Heard the submission made by the learned counsel appearing for the petitioner and perused the materials available on record.

3. Perusal of the records shows that the respondent filed a private complaint against the petitioner under Sections 138 and 142 of the N.I.Act, in the year 2009. The petitioner, who is the sole accused in the case filed Cr.M.P.No.4976 of 2011 to send the cheque for opinion of the Handwriting Expert, but the said petition was dismissed by the learned Judicial Magistrate No.I, Dindigul, which was also confirmed by the learned Additional District and Sessions Judge, Dindigul.

4. The petitioner has filed this petition against the concurrent finding of the Courts below. I do not find any merit in this case. Hence, this Criminal Original Petition is dismissed. However, since the case is of the year 2009, the learned Judicial Magistrate No.I, Dindigul, is directed to dispose of the case in C.C.No.115 of 2011, within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (Crl.Side)

Sub-Assistant Registrar



To

1.The Judicial Magistrate No.I, Dindigul

2.Do through the Chief Judicial Magistrate,
Dindigul

3.The Additional District and Sessions Judge,
Dindigul

4.Do through the Principal Sessions Judge, Dindigul

+One cc to Mr.J.Vijayaraja, Legal Aid Counsel, SR.No.78503

pm

RL/6C/2P/20.12.2016

Cr1.O.P.(MD)No.22753 of 2016

02.12.2016