

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.20427 of 2017

and

Crl.M.P.No.12280 of 2017

M/s.Sugesan Transport Pvt Ltd.,
No.7c, Second Canal Road,
Gandhi Road, Adayar,
Chennai - 600 020. ... Petitioner/Complainant

Vs

- 1.M/s.E.C.Bose and company Private Limited,
'ECB Towers', No.13 A, St George Terrace,
P.S.Hastings, Kolkata - 700022.
- 2.Mr.Deborshi Sadhan Bose (Billy), Director,
M/s.E.C.Bose & Co Pvt Ltd.,
E.C.Bose Group of Companies,
13 A, St.George Terrace, Hastings, Kolkata-700022.
- 3.Mr.Partha Sadhan Bose,
Chairman cum Managing Director,
M/s.E.C.Bose & Co Pvt Ltd.,
E.C.Bose Group of Companies,
13 A, St.George Terrace, Hastings, Kolkata-700022

... Respondents/Accused

Prayer:Criminal Original Petition filed under Section 482
Cr.P.C. to call for the records and set aside the order dated
25.07.2017 in Crl.M.P.No.1958 of 2017 in C.C.No.59 of 2016
passed by the IXth Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner : M/s.Mahadev Viswanathan

ORDER

The criminal original petition has been filed to call for the records and set aside the order dated 25.07.2017 in CrI.M.P.No.1958 of 2017 in C.C.No.59 of 2016 passed by IX Metropolitan Magistrate, Saidapet, Chennai.

2. The grievance of the petitioner is that though summons was issued in the month of February, the case has not progressed. According to the petitioner, the learned Magistrate was not justified in allowing the petition filed under Section 317 Cr.P.C. In otherwords, it is apprehension of the petitioner that by filing of the petition under Section 317 Cr.P.C., the respondents are protracting the proceedings.

3. Today, in an order passed in CrI.O.P.No.20089 of 2017 filed by the same petitioner, this Court directed the learned Judicial Magistrate, Fast Track Court-III, Saidapet, to complete the trial in C.C.No.59 of 2016 within a period of 6 months from the date of receipt of a copy of this order. In view of the order passed, the petitioner may not have the grievance that the respondents herein are trying to protract the proceedings before the trial Court. Hence, the order passed in CrI.M.P.No.1958 of 2017 in C.C.No.59 of 2016 needs no interference.

4. This Criminal original petition stands dismissed. Consequently, connected miscellaneous petition is closed.

/sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

mrp

To

IX Metropolitan Magistrate,
Saidapet, Chennai.

CrI.O.P.No.20427 of 2017

MD: 10/11/2017