

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8771 of 2017

B.Kumar

... Petitioner /Complainant

Vs

B.Santhaseelan

... Respondent/Accused

Criminal Original Petition filed under Section 482 Cr.P.C. to issue a direction to the learned Judicial Magistrate, Alandur to take the above said unnumbered Calendar Case of 2017, on file and proceed with the same.

For Petitioner : Mr.S.Vijay Anand

ORDER

The present criminal original petition has been filed seeking a direction to the learned Judicial Magistrate, Alandur to take the unnumbered Calendar Case on file and proceed with the same.

2. It is the case of the petitioner that he has lodged a complaint against the respondent before the learned Judicial Magistrate, Alandur under Section 138 of the Negotiable Instrument Act. Though the said complaint was lodged before the learned Magistrate, no number has been assigned till date and the same had not been taken up for disposal. Hence the present petition.

3. I have heard the learned Government Advocate (Crl.side).

4. For the written endorsement, the petitioner, through his counsel, gave a detailed explanation and represented the papers on 17.4.2017. Despite the same, the learned Judicial Magistrate returned the complaint as such without passing any orders further. Hence, the petitioner has approached this Court.

5. Considering the facts and circumstances of the case, the petitioner is permitted to re-present the complaint within one week from the date of receipt of a copy of this order. On such re-presentation being made, the learned Magistrate is hereby directed to consider each and every aspect of the matter and thereafter, decide the same on merits and in accordance with law.

6. The Criminal Original Petition is disposed of accordingly.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smi

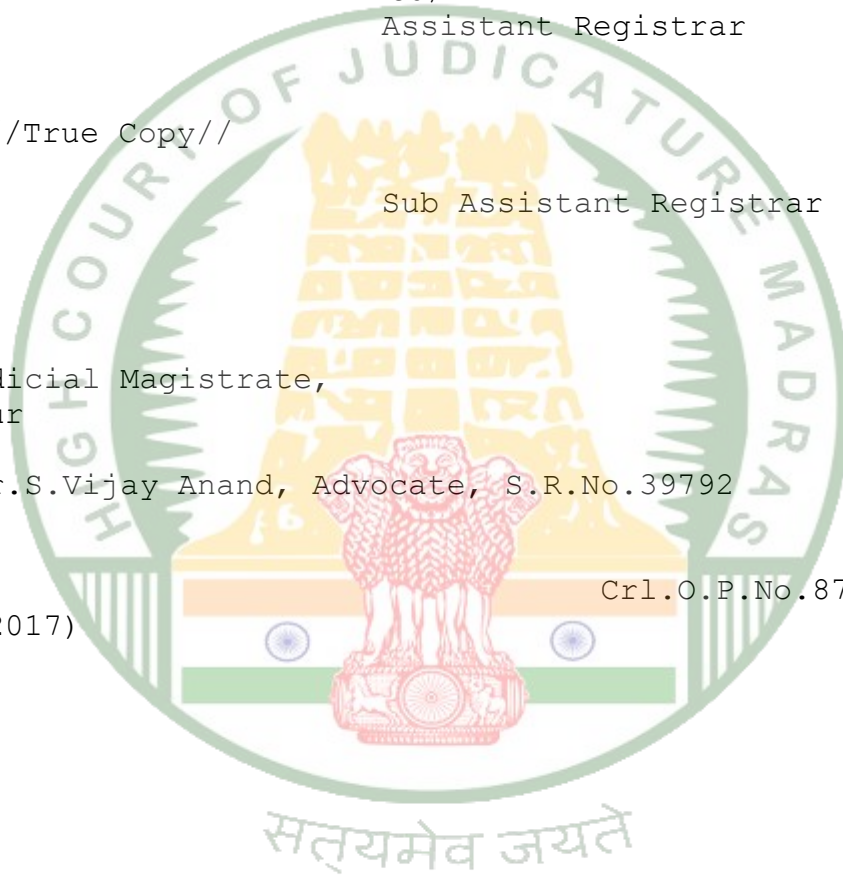
To

1. The Judicial Magistrate,  
Alandur

+2cc to Mr.S.Vijay Anand, Advocate, S.R.No.39792

RS(19/06/2017)

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