

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2017

C O R A M

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Criminal Original Petition No.20534 of 2012

P.Prakash

... Petitioner

-vs-

Gopal

S/o.Kannaya Naidu

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records comprised in C.M.P.No.3607 of 2012 in S.T.C.No.22 of 2012 on the file of the Judicial Magistrate, Fast Track Court No:1(Magisterial Level) at Erode dated 24.07.2012 and to set aside the same.

For Petitioner : Mr.V.Balamurugane

O R D E R

Petitioner challenges the order of learned Judicial Magistrate, Fast Track Court I (Magisterial Level), Erode, passed in C.M.P.No.3607 of 2012 in S.T.C.No.22 of 2012 on 24.07.2012.

2. Heard learned counsel for petitioner.

3. By the order under challenge, Court below has dismissed the petition seeking production of documents by petitioner/complainant in support of his case alleging offence under section 138 of the Negotiable Instruments Act. In dismissing the petition, Court below has reasoned that the complainant's evidence was closed on 22.02.2012 and presently the case is at the stage of arguments. Finding that the petitioner has filed the petition only to fill up lacuna, the Court below has dismissed the petition. This Court finds no error in the order under challenge.

The Criminal Original Petition is dismissed. Considering that the case is of the year 2012, Court below is directed to dispose of the case within a period of 2 months from the date of receipt of this order. Consequently, connected M.P.No. 1 of 2012 is also dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

bri/ggi

To

The Judicial Magistrate,
Fast Track Court No.I, Erode.

+ 1 cc to Mr.V. Balamurugan, Advocate SR.22255

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