

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.2796 of 2017

A.K.Shamsudeen

... Petitioner

Vs

The State, by
The Inspector of Police,
G.3 Kilpauk Police Station,
Chennai.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Chief Metropolitan Magistrate, Chennai, to dispose of petitioner's petition in Crl.M.P.No.6489 of 2015 within a time frame as may be fixed by this Court.

For Petitioner : Mr.K.Thiruvengadam
For respondent : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking a direction to the learned Chief Metropolitan Magistrate, Chennai, to dispose of petitioner's petition in Crl.M.P.No.6489 of 2015 within a time frame as may be fixed by this Court.

2. It is the case of the petitioner that on 5.5.2010, he was arrested in connection with a case in C.C.No.1229 of 2006 pending on the file of the learned Judicial First Class Magistrate, Mhow, Indore District, Madhya Pradesh and later, he was released on interim bail on condition that the petitioner should execute a Bank Guarantee for Rs.3,00,000/- and he had also executed the same. Now, as per the compromise entered into between the petitioner and the de facto complainant, the petitioner paid a sum of Rs.6,00,000/- to the de facto complainant and based on the compromise, he was acquitted in C.C.No.1229 of 2006. Thereafter, the petitioner filed a petition in Crl.M.P.No.6489 of 2015 before the learned Chief Metropolitan Magistrate, Chennai, to refund the bank guarantee

executed by him for a sum of Rs.3,00,000/-. However, till date, there is no progress in the said petition. Hence, seeking early disposal of the petition, the petitioner has come forward with the present petition.

3. Considering the facts and circumstances of the case, this Court directs the learned Chief Metropolitan Magistrate, Chennai, to dispose of the petition in CrI.M.P.No.6489 of 2015 pending on his file, as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order. The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Chief Metropolitan Magistrate,
Chennai

2. The Judicial First Class Magistrate,
Mhow, Indore, Madhya Pradesh.

3.The Inspector of Police,
G.3 Kilpauk Police Station,
Chennai.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K. Thiruvengadam, Advocate Sr.8954

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KJI (CO)
EU 28.2.17

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