



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P. (MD) No.3344 of 2017

WEB COPY

M/s.Tamil Nadu Newsprint and Papers Ltd.,

A Public Limited Company within the meaning of
The Companies Act, 1956, having its office at
No.67, Mount Road, Guindy,
Chennai-600 032,

Through its Officer (Legal) : Petitioner/Complainant

-Vs-

P.Balasubramaniyan

: Respondent/Accused

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to issue a direction, directing the learned Judicial Magistrate No.II, Kulithalai, to dispose the case pending in C.C.No.132 of 2008, within a time frame as fixed by this Court.

For Petitioner : Mr.M.P.Senthil

O R D E R

It is seen that the petitioner has initiated a prosecution in C.C.No.132 of 2008 before the learned Judicial Magistrate No.II, Kulithalai, against the respondent herein for an offence under Section 630 of the Companies Act, 1956 and the same is pending. It is the grievance of the petitioner that there has not been any progress in the case from 2008 onwards and, therefore, the petitioner is before this Court for a direction to the Trial Court to complete the trial in a time bound manner.

2. In a case of this nature, it may not be necessary to hear the respondent and it would suffice, if orders are passed on the available records. Admittedly, the prosecution is pending from 2008 and now, we are in 2017. The accused cannot be made to suffer indefinitely by keeping the Damocles sword hanging over his head. Right to speedy trial is one of the facets of the right guaranteed by Article 21 of the Constitution of India. Therefore, this Court directs the learned Judicial Magistrate No.II, Kulithalai, to complete the trial in C.C.No.132 of 2008, within a period of six months from the date of receipt of a copy of this order.



3. This Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(AD-II)

/True Copy/

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Sub Assistant Registrar

To

The Judicial Magistrate No.II,
Kulithalai.

+1cc to M/s. M.P.SENTHIL Advocate in SR. No.16688
SML
JS/KP/4/04/2014/SAR.2/2P-3C

Order made in
CRL.O.P. (MD) No.3344 of 2017
Dated: 22.03.2017