



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CrI.O.P.(MD)No.250 of 2011
and
CrI.M.P.(MD)Nos.1 & 2 of 2011

Thiruvaramangam ... Petitioner /Accused (Single)

Vs.

Usha ... Respondent /Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records in S.T.C.No.452 of 2010 on the file of the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli District and quash the same.

For Petitioner : Mr.Balaji
for Mr.R.Anand

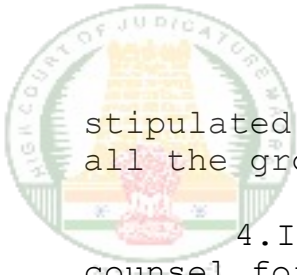
For Respondent : Mr.R.Maheswaran
for Mr.G.Prabhu Rajadurai

O R D E R

This Criminal Original Petition has been filed to quash the proceeding in S.T.C.No.452 of 2010, pending on the file of the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli District.

2.The learned Judicial Magistrate No.I, Tirunelveli has informed this Court that the complaint in STC.No.452 of 2010 was returned on 21.01.2015, holding that Judicial Magistrate No.1 has no jurisdiction, relying the decision of the Hon'ble Supreme Court reported in 2014(4) CTC 666 (Dashrath Rupsingh Rathod Vs. State of Maharashtra) wherein, the Territorial Jurisdiction is restricted to the Court within whose local jurisdiction the offence was committed, which in the present context is where the Cheque is dishonoured by the Bank on which it is drawn. Accordingly, the S.T.C.No.452 of 2010, which is challenged in the criminal original petition, has been re-numbered as STC.No.64 of 2015 and the same is pending before the Judicial Magistrate, Cheranmahadevi.

3.Though the learned counsel for the petitioner raised several grounds for quashing the proceeding in STC.No.64 of 2015, he submitted that it would suffice, if a direction is issued to the trial Court to complete the trial, within a time limit that may be



stipulated by this Court and also to permit the petitioner to raise all the grounds raised in this petition before the trial Court.

4. In the light of the abovesaid submission of the learned counsel for the petitioner, this Court without going into the merits of the case, directs the learned Judicial Magistrate, Cheranmahadevi, to complete the trial in STC.No.64 of 2015, within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The learned Judicial Magistrate No.I,
Tirunelveli, Tirunelveli District.

2. The learned Judicial Magistrate,
Cheranmahadevi.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.G.Prabhu Rajadurai, Advocate SR.No. 85793

Crl.O.P. (MD) No.250 of 2011
07.11.2017

RMK

JM/SKN RSK/SAR 1/22.11.2017/2P/5C