



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P. (MD) No.4825 of 2011

and

M.P. (MD) Nos.1 and 2 of 2011

H.Prince Hastings ... Petitioner/Accused

Vs.

R.Venkatesh ... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the entire records pertaining to the order passed by the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli District, in Cr.M.P.No.6273 of 2010 in S.T.C.No.215 of 2008, vide his order dated 23.12.2010 and set aside the same and consequently, direct the abovesaid Magistrate to send the cheques involved in this case, dated 09.11.2017, bearing Nos.369111 and 369113, drawn on ICICI Bank Ltd., Selaiyur Branch, Chennai, to the Handwriting Expert, i.e., the Director, Forensic Department (Document Division), Santhome, Mylapore, Chennai and to obtain a report therefrom in this regard.

For Petitioner : Mr.R.Anand

For Respondent : Mr.A.Thiruvadikumar

O R D E R

This Criminal Original Petition has been filed to set aside the order dated 23.12.2010, passed in Cr.M.P.No.6273 of 2010 in S.T.C.No.215 of 2008, by the learned Judicial Magistrate No.I, Tirunelveli, Tirunelveli District, and also a consequential direction to the learned Magistrate to send the cheques involved in this case, dated 09.11.2017, bearing Nos.369111 and 369113, drawn on ICICI Bank Ltd., Selaiyur Branch, Chennai, to the Handwriting Expert, i.e., the Director, Forensic Department (Document Division), Santhome, Mylapore, Chennai and to obtain a report therefrom in this regard.

2. Though the learned counsel for the petitioner raised several grounds for setting aside the order dated 23.12.2010, passed in Cr.M.P.No.6273 of 2010 in S.T.C.No.215 of 2008, by the learned



Judicial Magistrate No.I, Tirunelveli, Tirunelveli District, 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.

3.I have heard the learned counsel for the respondent.

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 No.I, Tirunelveli, Tirunelveli District, to complete the trial in S.T.C.No.215 of 2008, within a period of three months from the date of receipt of a copy of this order and the personal appearance of the petitioner is dispensed with unless the learned Magistrate feels that his presence is required for disposal of the case.

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

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

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

2.-do-Thro' The Chief Judicial Magistrate,
Tirunelveli.

+1cc to Mr.A.Thiruvadikumar Advocate in SR. No. 84518

SMN2

JS/KK/SAR.1/10.11.2017/2P-4C

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