



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) .No.18689 of 2016

and

Crl.M.P. (MD) No.9320 of 2016

A.Thinagar ..Petitioner/ Accused

Vs.

Ramasubramonia Pillai ... Respondent/ Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to call for the records pertaining to the order passed in Crl.M.P. No. 2253 of 2016 in C.C.No. 47 of 2013 on the file of the Judicial Magistrate/Fast Track Court No.I, Nagercoil, dated 15.07.2016 and set aside the same.

For Petitioner :Mr.C.K.M.Appaji

For Respondent :Mr.V.Sasikumar

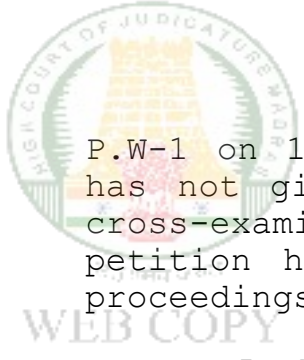
O R D E R

This petition has been filed against the order of the Court below, dismissing the petition filed under Section 311 of Cr.P.C.

2.Heard learned counsel for the petitioner and learned Government Advocate for the first respondent.

3.The respondent has filed the complaint against the petitioner for an offence under Section 138 of the Negotiable Instruments Act. The complainant was examined as P.W-1 on 13.10.2014 and five documents were marked. Thereafter, the case was posted on 10 different hearing dates from 21.10.2014 to 06.05.2015 and the petitioner did not cross examine P.W.1.

4.The petitioner filed a petition to recall and cross-examine



P.W-1 on 15.03.2016 and the Court below found that the petitioner has not given any reason as to why it took such a long time to cross-examine P.W-1 and the Court below also found that the petition has been filed very belatedly in order to protract the proceedings.

5.This Court does not find any illegality or infirmity in the order passed by the Court below. Accordingly, this Criminal Original Petition is dismissed with a direction to the learned Judicial Magistrate, Fast Track Court No. I to complete the proceedings in C.C.No.47 of 2013 within a period of two months from the date of receipt of a copy of this order. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS-I)

To

- 1.The Judicial Magistrate
/Fast Track Court No. I,
Nagercoil.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.C.K.M.APPAJI, Advocate SR. NO. 82658

Cr1.O.P. (MD) .No.18689 of 2016
05.09.2018

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TR/SV/SAR-I (03.10.2018) 2P 5C