

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.17681 of 2016

G.V.Ramakrishnan

...Petitioner

Vs.

1. Hindustan Peter Oates (P) Limited,
represented by its authorized signatory
Mr.V.Kejriwal,
No.A-53, Road No.1,
MIDC Industrial Area
Marol Andheri (East)
Mumbai 400 093.

2. Manjri Choudhary,

3. Divya Choudhary,

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the records and proceedings in C.C.No.380 of 2012 from the Metropolitan Magistrate, Fast Track-III Court, Saidapet, Chennai and pleased to direct the Honourable Metropolitan Magistrate Fast Track III Court to fix an early date for trial of C.C.No.380 of 2012 and try the case for speedy disposal within a period of three months.

For Petitioner : Mr.N.Uma Sankar

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed seeking for a speedy disposal of the case pending before the learned Metropolitan Magistrate, Fast Track-III Court, Saidapet, Chennai, in C.C.No.380 of 2012.

2.It is seen from records that the 1st respondent company and one Zoom Developers Private Limited are sister concerns, owned and managed by respondents 1 to 3 and their family and friends. The said Zoom Developers Private limited availed and utilized financial and development advisory services from the petitioner for which he has to be paid Rs.2 Lakhs. The respondents submitted that since Zoom Developers does not have

sufficient funds, they would issue a cheque from the 1st respondent company, which is said to be the sister company. Accordingly, a cheque for Rs.2 Lakhs was drawn on Indusind Bank Limited, Nariman Point Branch, Mumbai signed by the authorized signatory one Mr.V.Kejriwal. When the petitioner presented the cheque for collection, the same was returned "Funds insufficient". Immediately, the petitioner informed about the return of cheque for which the respondents issued another fresh cheque, which was also dishonoured for the reason "Funds insufficient". Hence, the petitioner preferred a private complaint as against the respondents before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, and the case is still pending in C.C.No.380 of 2012. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3. Considering the facts and circumstances of the case and also that the calendar case is of the year 2012, the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, is directed to complete the trial proceedings in C.C.No.380 of 2012, within a period of three months from the date of receipt of copy of this order, if not already disposed of.

4. With the above directions, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

- 1) The Metropolitan Magistrate,
Fast Track Court No.III,
Saidapet, Chennai
- 2) The XXIII Metropolitan Magistrate,
Saidapet, Chennai
- 3) - do - through The Chief Metropolitan Magistrate,
Egmore, Chennai.

CRL.O.P.No.17681 of 2016

KK (CO)
SSM(22/05/2019) .