



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CrI.O.P. No.30472 of 2013

S.Damodaran

.. Petitioner/Complainant

Vs.

1. M/s.Suguna Rajagopal Agencies,
H.P.Dealers,
Represented by its,
Proprietor R.Sudharsan,
1205, Trichy Road,
Coimbatore-641 018.

2. R.Sudharsan,
Proprietor of M/s.Suguna Rajagopal Agencies,
1205, Trichy Road,
Coimbatore-641 018.

.. Respondents/Accused 1 & 2

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue direction to dispose of the C.C.No.480 of 2012 pending on the file of the Judicial Magistrate, Mettupalayam as expeditiously as possible within period of stipulated time.

For Petitioner : M/s.Guruprasad for
M/s.S.Rajmakesh

ORDER

This Criminal Original Petition has been filed seeking for direction to to dispose the case in C.C.No.480 of 2012 pending on the file of the Judicial Magistrate Court, Mettupalayam as expeditiously as possible within a period of stipulated time.

2.The petitioner has filed a private complaint against the respondents in C.C.No.482 of 2012 before the learned Judicial Magistrate, Mettupalayam for the offence under Sections 138, 141 and 142 of the Negotiable Instruments Act.



3.The learned counsel for the petitioner would submit that the in C.C.No.482 of 2012 the petitioner has examined himself as PW.1 on 30.08.2013 and marked exhibits P1 to P10. Due to non-appearance of the respondents, the trial Court issued Non-Bailable Warrant against the respondents and the same is pending for execution. Due to pendency of NBW, the trial in the lower Court could not be progressed and the petitioner is put to great hardship. Hence, he prays for direction to dispose the case in C.C.No.480 of 2012.

4.It is seen that the case is of the year 2012 and the case is pending trial for more than 7 years without any progress. Hence, the trial Court is directed to take appropriate steps to secure the respondents by directing the concern Police to execute the Non-bailable warrant pending against them and complete the trial within period of three months from the date of receipt of a copy of this order.

5.With the above said direction, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vv2

To

- 1) The Judicial Magistrate Court,
Mettupalayam.
- 2) - do - through The Chief Judicial Magistrate,
Coimbatore.

CrI.O.P.No.30472 of 2013

VG-II(CO)
SSM(09/09/2019)