

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3390 of 2016
and Crl.M.P.No.1746 of 2016

S.Ulaganathan

... Petitioner

Vs.

K.Lakshmanan

Managing Partner,

Sri Balaji Finance Corporation.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to set aside the order passed by the learned Judicial Magistrate, Fast Track Court, Tiruchengode made in C.M.P.No.3956 of 2015 in S.T.C.No.100 of 2014 dated 03.12.2015.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.S.Viswanathan
for M/s.Dass and Viswa Associates

O R D E R

This petition has been filed to set aside the order dated 03.12.2015 passed by the learned Judicial Magistrate, Fast Track Court, Tiruchengode in C.M.P.No.3956 of 2015 in S.T.C.No.100 of 2014.

2.The petitioner is an accused in a private complaint lodged by the respondent before the learned Judicial Magistrate, Tiruchengode, in S.T.C.No.100 of 2014 and the learned Magistrate took cognizance and prosecution witnesses were also examined. Whiles, the petitioner/accused filed a petition in C.M.P.No.3955 of 2015 in S.T.C.No.100 of 2014 seeking to permit the petitioner to examine additional witness i.e., The Branch Manager, ICICI Bank, Tiruchengode Branch and production of the bank statement, and the same was dismissed by the Court below. Hence, the petitioner has filed the present petition with the aforesaid prayer.

3.The learned counsel for the respondent submitted that the trial has been completed and the matter is posted for arguments. Therefore, at this stage, the petitioner cannot be permitted to examine the Branch Manager, ICICI Bank, Tiruchengode Branch .

4.In view of the above submission, this Court does not find any merits in this petition. However, considering the year of the case i.e. 2014, the learned Judicial Magistrate, Fast Track Court, Tiruchengode, is directed to complete the trial in S.T.C.No.100 of 2014 and dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order.

5.Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

rm

To

1. The Judicial Magistrate
Fast Track Court,
Tiruchengode

2. -do-Through' The Chief Judicial Magistrate, Namakkal

+1cc to Mr.Dass Viswa Associates, Advocate SR.No.23819

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SSI (CO)
GMY (20/05/2019)

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