

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.4232 of 2019

Kosamattam Finance Company Limited,
Rep.by its Area Manager,
Mr.Binees Joseph.

... Petitioner

Vs.

The State rep.by
The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District,
Crime No.675 of 2013.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Judicial Magistrate No.2, Chidambaram to conduct the trial and pronounce the judgement in C.C.No.344 of 2016 as expeditiously as possible within the time frame to be stipulated by this Court.

For Petitioner : Mr.V.Ramasubramanian

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking direction to the learned Judicial Magistrate No.2, Chidambaram to conduct the trial and to pronounce the judgement in C.C.No.344 of 2016 as expeditiously as possible.

2. The learned counsel for the petitioner submitted that the petitioner was working as Area Manager of Kosamattam Finance Company Limited, Chidambaram Branch. While so, on 0.02.2012, an appraiser of head office inspected the jewels pledged with the branch and found that jewels in pledge Nos.130, 158 and 208 weighing 135.00 gms, 119.00 gms and 124.00 gms respectively has been further pledged for increased amount in Pledge Nos.344, 345 and 346. On enquiry, it was found that the staff of that branch have cheated the company to the tune of Rs.8,27,950/- and got absconded. Hence, a complaint has been lodged against the accused persons and the same has been registered in Crime No.675 of 2013 for the offences punishable under Section 408 IPC. Since, no final report has been filed by the respondent Police, the petitioner filed a petition in CrI.O.P.No.28444 of 2015, seeking direction to the respondent Police. Thereafter, a final report was filed on 19.12.2018 for the offences under Sections 408 and 420 of IPC r/w 109 of CPC and the same was taken on file as C.C.No.344 of 2016 by the learned Judicial Magistrate II, Chidambaram, and the same is pending for from 2016. Hence, the present petition.

3.The learned Additional Public Prosecutor submitted that there are totally 10 prosecution witnesses and the trial has not yet commenced.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

5. It is seen that the case is of the year 2016. Considering the facts and circumstances of the case, there shall be a direction to the learned Judicial Magistrate II, Chidambaram, to dispose of C.C.No.344 of 2016 within a period of three months from the date of receipt of copy of this order. The petitioner as well as the respondent are directed to co-operate with the Court below in completing the proceedings within the time stipulated by this Court.

6. With the above directions, the Criminal Original Petition is disposed of.

18.02.2019

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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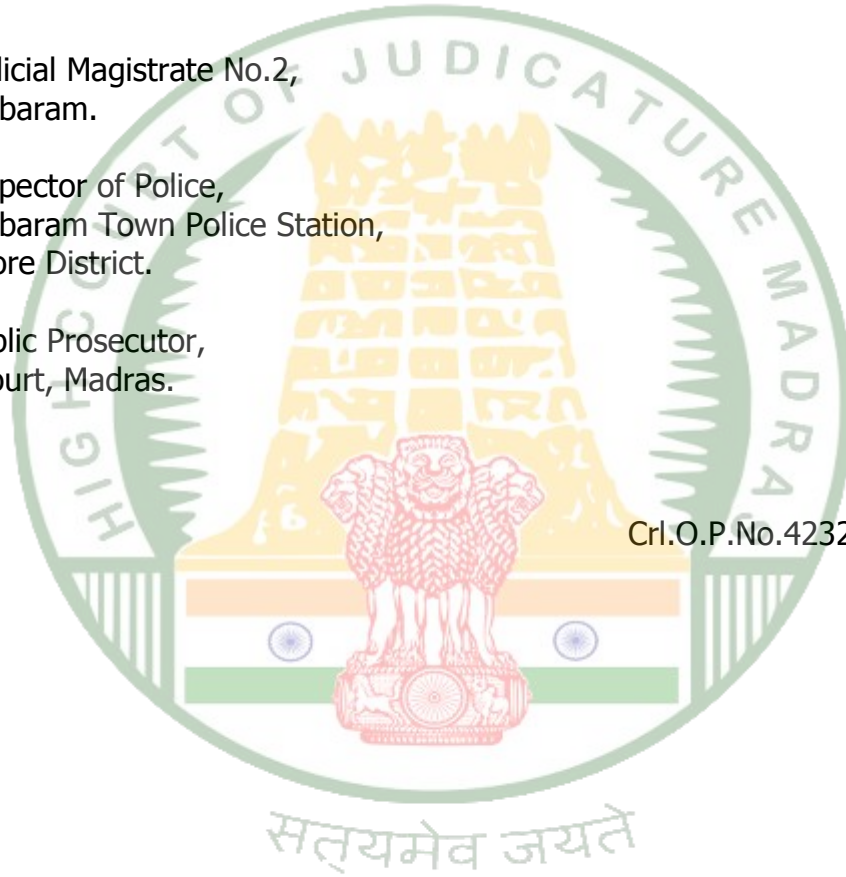
G.K.ILANTHIRAIYAN. J,

rm

To

- 1.The Judicial Magistrate No.2,
Chidambaram.
- 2.The Inspector of Police,
Chidambaram Town Police Station,
Cuddalore District.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.4232 of 2019



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