

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2019

CORAM

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

Crl.O.P.No.8893 of 2019

A.G.Ravi Kumar

...Petitioner/Defacto Complainant

-Vs-

1.State represented by
Inspector of Police,
C.3, Seven Wells Police Station,
Chennai-600 001.

2.The Commissioner of Police,
E.V.K.Sampath Salai,
Vepery, Chennai-600 007.

... Respondents

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the VIII Metropolitan Magistrate, George Town, Chennai-1 to continue the trial in C.C.No.723 of 2015 and complete the same as expeditiously as possible.

For Petitioner : Mr.R.Lakshmi Narayanan

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed to direct VIII Metropolitan Magistrate, George Town, Chennai-1 to continue the trial in C.C.No.723 of 2015 and complete the same as expeditiously as possible.

2.It is seen that the petitioner is a lessee under one Mrs.V.Indira Priya on an agreement for three years commencing from 28.04.2010 to 27.04.2013 for an lease amount of Rs.3,50,000/- and agreed to refund the same to the petitioner at the time of vacating and surrendering the possession. It is seen that there some litigation between the said Indira Priya and her husband with regard to execution proceedings pursuant to the decree for possession. While so, the petitioner has demanded the said Indira Priya to return the lease amount, which was not

returned and thus cheated the petitioner. Therefore, the petitioner filed complaints before the 1st respondent police and also issued legal notice on 12.11.2013. Even thereafter, since no fruitful results have been seen, the petitioner filed Crl.O.P.No.32420 of 2017 before this Court and this Court by an order dated 13.12.2013 directed the 1st respondent to register the case and investigate the complaint in accordance with law. Based on the direction of this court the 1st respondent registered a case in Crime No.336 of 2014, conducted enquiry and filed a final report in 723 of 2015 before the VIII Metropolitan Magistrate, George Town, Chennai and framed charges as against the two accused persons and the trial is pending.

3.The learned counsel for the petitioner would submit that the petitioner herein is the accused in the above case and due to the pendency of this case, great hardship is caused to the petitioner and seeks for early disposal of the case.

4.The learned Government Advocate (Crl.Side) would submit that C.C.No.723 of 2015 is pending before the Court below. The learned Government Advocate (Crl.Side) further would submit that P.W.1 was examined and no cross examination was made and the case is still pending.

5.It is seen that the C.C.No.723 is of the year 2015. Therefore, there shall be a direction to the learned VIII Metropolitan Magistrate, George Town, Chennai, to dispose of the C.C.No.723 of 2015 as expeditiously as possible and in any event, not later than three months from the date of receipt of a copy of this order. The petitioner as well as the prosecution are directed to co-operate with the Court below in completing the proceedings within the time stipulated by this Court.

6.This criminal original petition is disposed of with the above direction.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1.The Inspector of Police,
C.3, Seven Wells Police Station,
Chennai-600 001.

2.The Commissioner of Police,
E.V.K.Sampath Salai,
Vepery, Chennai-600 007.

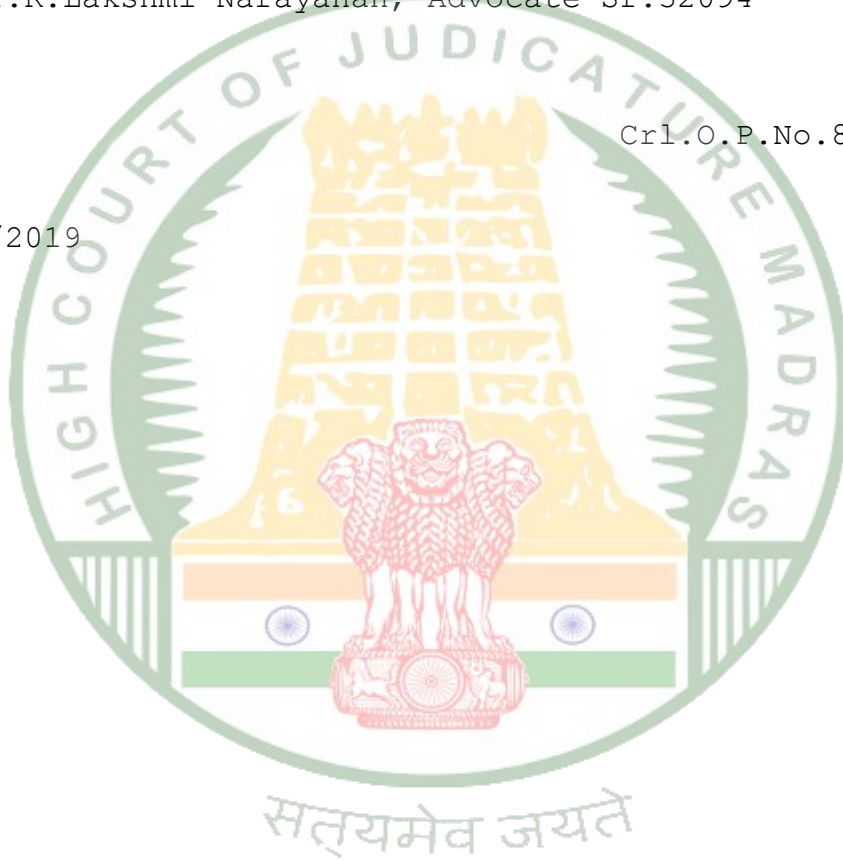
3.The Public Prosecutor,
High Court, Madras.

4.The VIII Metropolitan Magistrate,
George Town, Chennai 600 001.

+2cc to Mr.R.Lakshmi Narayanan, Advocate Sr.32094

Crl.O.P.No.8893 of 2019

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