

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.8308 of 2019

Express Service Stations
Represented by its Managing Partner
M.Suresh Babu
No.N-18 SIDCO Industrial Estate
Zuzuvadi, Hosur - 635 126,
Krishnagiri District.

... Petitioner

Vs

1. M/s.B.V.R.Transport,
Represented by Proprietor,
Mr.K.Shekhar Reddy,
15/3 - Shakambari Lay out,
Attibele, Aaekal Taluk,
Bangalore - 562 107.

2. Mr.K.Shekhar Reddy,
Proprietor of B.V.R.Transport,
15/3 - Shakambari Lay out,
Attibele, Aaekal Taluk,
Bangalore - 562 107.

... Respondents

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C.
to direct the Judicial Magistrate, Fast Track Court, Hosur to
dispose the summary trial case in 118 of 2018 within time
stipulated by this Hon'ble Court.

For Petitioner : Mr.K.Krishna

ORDER

This Criminal Original Petition has been filed to to
direct the Judicial Magistrate, Fast Track Court, Hosur to
dispose the summary trial case in 118 of 2018 within time frame.

2.Heard the learned counsel for the petitioner.

3.The petitioner is a working partner in Express Service
Station, a petrol Bunk of Indian Oil Corporation, where the

petitioner is bound to procure petrol and Diesel on advance payment only. The respondent is a vendor who bought diesel for his vehicles and did not paid the legally enforceable debt of Rs.31,51,441/- (Rupees Thirty one lakhs fifty one thousand four hundred forty one only) for which the petitioner is paying interest to the bank and also due to locked up principle, it is very hard for the petitioner to run the petrol bunk and hence this summary trial case of cheque dishonoured case filed under Section 138 of Negotiable Instrument Act. The pendency of the case without any process for the past one year is against law and unsustainable. The Court below has failed to see that even the summary trial case was filed in 27.06.2018 and past one year no steps has been taken by Court below is against law and unsustainable. The Court below has failed to see that the Court adjourned the matter so many times without any proper reasons. Hence, the petitioner filed this criminal original petition.

4.Considering the facts and circumstances of the case, this Court directs the Judicial Magistrate Fast Track Court, Hosur to complete the trial in S.T.C.No.118 of 2018 within a period of six months from the date of the receipt of a copy of this Order.

5.This Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rna

To

The Judicial Magistrate,
Fast Track Court, Hosur.

+1cc to Mr.K.Krishna, Advocate, S.R.No. 30215

CA(CO)
CS/15/05/2019

Cr1.O.P.No.8308 of 2019