

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8298 of 2019

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

Vs

1.M/s.OST Logistics,
Represented by its Partner,
Mr.Rama Saravanan,
Kurian Complex, No.19,
Railway Colony 1st street,
Off Nelson Manickam High Road,
Chennai - 600 029.

2.Mr.Rama Saravanan,
Partner, M/s.OST Logistics,
1, Amman Koil Street,
Mehta Nagar, Chennai 600 029.

3.Mrs.S.Vasanthakumari,
Partner, M/s.OST Logistics,
Kurian Complex, No.19,
Railway Colony 1st street,
Off Nelson Manickam High Road,
Chennai - 600 029.

... 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 148 of 2018 within time stipulated by this Hon'ble Court.

For Petitioner : Mr.K.Krishna

O R D E R

This Criminal Original Petition has been filed to to direct the Judicial Magistrate, Fast Track Court, Hosur to dispose the summary trial case in 148 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.9,59,683/- (Rupees Nine Lakhs and Fifty Nine Thousand Six Hundred Eighty Three 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 01.08.2018 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.148 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.Krishnan, Advocate SR.No.30217

Cr1.O.P.No.8298 of 2019

MR (CO)
GMY (07/05/2019)