

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.10150 OF 2019

N.Sivakumar Rajaprabhu

... Petitioner

Vs.

T.Francis Nelson

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Fast Track court at Alandur to dispose of the C.C.No.600 of 2016 on the file of the learned Fast Track court at Alandur. Within a time frame.

For Petitioner : Mr.Prakash Adiadam

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

O R D E R

This Criminal Original Petition has been filed to direct the trial Court to dispose the trial in C.C.No.600 of 2016 on the file of the learned Fast Track Court, Alandur and to complete the proceedings within a stipulated time.

2.The case of the prosecution is that the respondent was introduced to the petitioner through one Mr.John Basco. The petitioner gave the respondent a short term loan of Rs.17,00,000/- at 12 % per annum for his business. But the respondent failed to repay the said amount and the cheques issued by him were dishonored with endorsement "funds insufficient". Therefore the petitioner lodged complaint under section 138 of Negotiable Instruments Act, 1881, before the learned Judicial Magistrate, Alandur on 13.04.2016 and the same was taken cognizance in C.C.No.753 of 2016 and later it was transferred to the learned Fast Track Court, at Alandur in the year 2016 and renumbered as C.C.No.600 of 2016 and the trial is pending for continuation of cross examination of PW1.

3.The learned counsel for the petitioner submitted that the charge sheet has been laid before the learned Judicial Magistrate, Alandur in C.C.No.753 of 2016 and the case was committed to the learned Fast Track Court Judge, Alandur and was taken on file in C.C.No.600 of 2016. But, till date the case was not posted for trial. Hence, the petitioner filed the present petition with the aforesaid prayer.

4. Heard both sides.

5.It is seen that the incident happened in the year 2015 and charge sheet filed in 2016 and the trial has not been commenced till date. As such, there shall be a direction to the learned Fast Track Court Judge, Alandur to conduct the trial and complete the proceedings in C.C.No.600 of 2016 within a period of three months from the date of receipt of copy of this order.

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

Sd/-

Deputy Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

rri

To

1. The learned Fast Track Court Judge,  
Alandur.

2. The Public Prosecutor,  
High Court, Madras. सत्यमेव जयते

+lcc to Mr.Prakash Adiapadam, Advocate, S.R.No.37426

CS/14/06/2019

CrI.O.P.No.10150 of 2019

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