

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM:

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

CRL.OP.No.2014 of 2017

and CRL.M.P.No.1463 of 2017

Mr.P.Subramani

... Petitioner

Vs.

P.Sakthivel

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order dated 24.08.2016 passed by trial Court in Crl.M.P.No.5933 of 2015 in C.C.No.145 of 2013 pending before the learned Fast Track Judicial Magistrate - II at Coimbatore.

For Petitioner : Mr.K.Jayaraman

For Respondent : Mr.M.Muthu Krishnan

O R D E R

The Criminal Original Petition has been filed to set aside the order dated 24.08.2016 passed by trial Court in Crl.M.P.No.5933 of 2015 in C.C.No.145 of 2013, pending before the learned Fast Track Judicial Magistrate - II of Coimbatore.

2.Heard, Mr.K.Jayaraman, learned counsel appearing for the petitioner and Mr.M.Muthu Krishnan, learned counsel appearing for the respondent and perused the materials available on record.

3.It is seen that the learned Magistrate has allowed the petition in Crl.M.P.No.5933 of 2015 in C.C.No.145 of 2013, thereby permitted the respondent/defacto complainant to lead secondary evidence by marking a copy of the cheque along with the complaint.

4.It is also seen that the affidavit filed in support of the said petition, the respondent/complainant mentioned dishonored Cheque No.000530 dated 22.8.2012, whereas it is seen from the complaint, the cheque which was presented for collection bearing No.000374 dated 20.6.2012.

5. Therefore, it is made clear that the respondent/ complainant is permitted to lead secondary evidence by marking a copy of the Cheque No.000374 dated 20.6.2012. To that effect impugned order is modified and all other observations made in CrI.M.P.No.5933 of 2015 in C.C.No.145 of 2013 shall remain intact.

6. Considering the case is of the year 2013, the trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order.

7. With the above observation and direction, the Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

sd/
ASSISTANT REGISTRAR

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

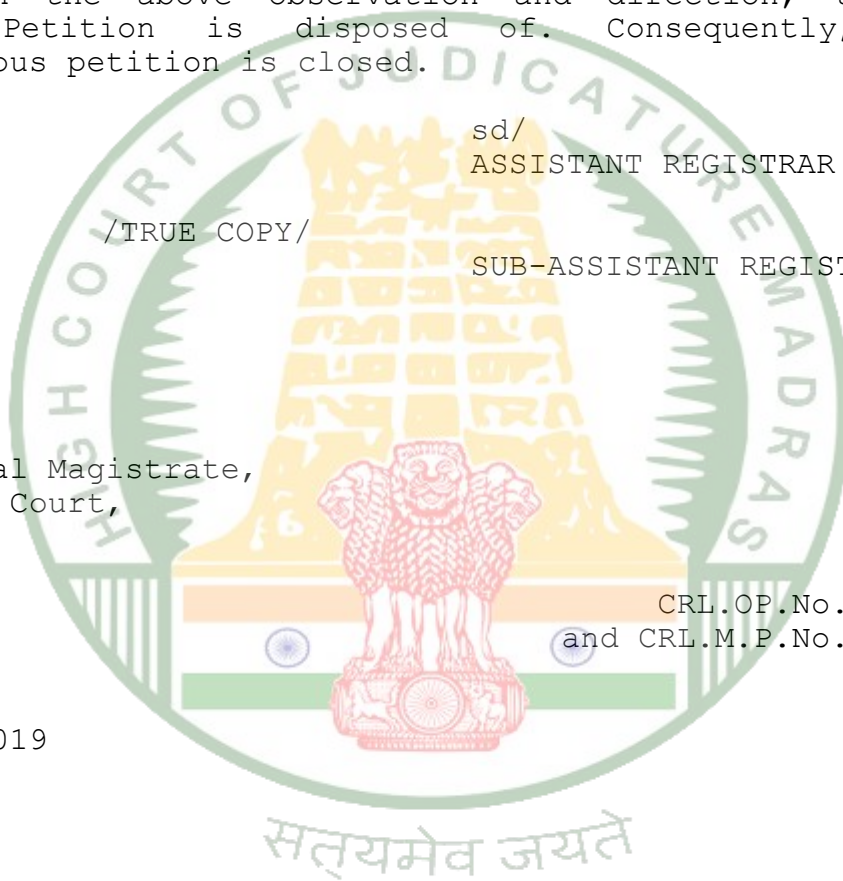
pam

To

The Judicial Magistrate,
Fast Track Court,
Coimbatore

CRL.OP.No.2014 of 2017
and CRL.M.P.No.1463 of 2017

GJ-II[CO]
MK:08/06/2019



WEB COPY