

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

CORAM:

THE HON'BLE MR. JUSTICE P. RAJAMANICKAM

Cr1.O.P. No. 33133 of 2019

K. Sudharsanan

...Petitioner/Complainant

vs

A. Karthikeyan

...Respondent/Accused

Prayer: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to direct the learned Judicial Magistrate, Polur, Tiruvannamalai District to dispose of S.T.C. No. 141 of 2017 as expeditiously as possible, within a time frame fixed by this Court.

For Petitioner : Mr. S. Natana Rajan

ORDER

This Petition has been filed to direct the learned Judicial Magistrate, Polur, Tiruvannamalai District to dispose of S.T.C. No. 141 of 2017 as expeditiously as possible, within a time frame fixed by this Court.

2. The learned counsel for the petitioner has submitted that the petitioner has filed a private complaint under Section 138 of the Negotiable Instruments Act, against the respondent/accused and based on the same, the learned Judicial Magistrate, Polur, Tiruvannamalai District, has taken the case on file in S.T.C. No. 141 of 2017. He further submitted that after the appearance of the accused, evidence on the side of the complainant was adduced and the accused was questioned under Section 313 Cr.P.C on 26.12.2017 and thereafter, there is no progress in the aforesaid case and hence, he requests to direct the trial Court to dispose of the aforesaid case as expeditiously as possible.

3. It is seen from the Diary Extract produced by the learned counsel for the petitioner that P.W.1 was examined on 16.08.2017 and P.W.2 was examined on 18.09.2017 and after closing the evidence on the side of the complainant, the accused was questioned under Section 313 Cr.P.C on 26.12.2017 and thereafter, the accused has filed a petition under Section 311 Cr.P.C and the same was allowed. Even though P.W.1 was appeared on all hearings, the case was adjourned mechanically

for cross examination of P.W.1. Then the matter was referred to Lok Adalat on 12.07.2018. Since, the matter was not settled, again the matter was posted for cross examination of P.W.1 and again the matter was adjourned routinely. Only on 06.08.2018 P.W.1 was cross examined fully and thereafter, the case was adjourned for cross examination of P.W.2. On 04.09.2018 P.W.2 was present for cross examination and the matter was adjourned to 17.09.2018 for defence side evidence and thereafter, no progress has been made and the learned Judicial Magistrate has adjourned the case routinely.

4. Hence, the learned Judicial Magistrate, Polur, Tiruvannamalai District is directed to dispose of the aforesaid case within a period of three months from the date of receipt of a copy of this order.

5. With the aforesaid direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kv

To

1.The Judicial Magistrate,
Polur, Tiruvannamalai District

2.The Public Prosecutor,
High Court of Madras.

+lcc to Mr. S. Natana Rajan, Advocate SR.103164

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MR(CO)
CB(10/02/2020)

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