

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.OP.NO.33509 OF 2019

S.Jawahar

... Petitioner

Vs.

B.Narayanan

... Respondent

PRAYER:

Criminal Original Petition filed under Section 482 Cr.P.C, to direct the learned District Judge-Cum-Chief Judicial Magistrate, Udhagamandalam, the Nilgris to dispose of the appeal in Crl.A.No.27 of 2019 within a stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Ms.R.Saritha

ORDER

This petition has been filed by the petitioner to direct the learned District Judge-Cum-Chief Judicial Magistrate, Udhagamandalam, the Nilgris to dispose of the appeal in Crl.A.No.27 of 2019 within a stipulated time.

2. The learned counsel for the petitioner has submitted that the petitioner herein has filed a complaint against the respondent herein under Section 138 of the Negotiable Instruments Act and based on the same, the Judicial Magistrate, Ootacamund, the Nilgris has taken the case on file in S.T.C.No.561 of 2017 and after full trial, by the judgment dated 06.02.2019 has convicted the respondent/accused and ordered to undergo six months simple imprisonment and also directed the respondent/accused to pay a compensation of Rs.3,50,000/- to the petitioner within one month from the date of said judgment, in default, the accused/respondent shall undergo one more month simple imprisonment. She further submitted that as against the said judgment of conviction, the respondent/accused has filed an appeal in Crl.A.No.27 of 2019 on the file of Sessions Judge/Chief Judicial Magistrate, Udhagamandalam, The Nilgris. She further submitted that the petitioner herein entered appearance in the said criminal appeal on 05.04.2019 by filing vakalat, but, thereafter, no progress has been made in the said

appeal. Hence, she requests to direct the learned Sessions Judge, to dispose of the appeal at early.

3. The Diary extract shows that on 05.04.2019 itself, the petitioner herein entered appearance through counsel and thereafter, the case was adjourned to 07.06.2019 for arguments and thereafter, no progress has been made. Hence, the learned Sessions Judge is directed to dispose of the said appeal as early as possible, preferably within 5 (five) months from the date of receipt of a copy of this order.

4. With the aforesaid direction, this petition is disposed of.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

VV

To

1. The District Judge-Cum- Chief Judicial Magistrate,
Udhagamandalam, The Nilgris.

+1cc to Mr.J.Bharathiraja, Advocate, S.R.No.103626

Cr1.O.P.No.33509 of 2019

RP(CO)
CS/13/01/2020

सत्यमेव जयते

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