



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]Nos.2802 and 2803 of 2019

1.S.Lakshmi
2.S.Gandhirajan
3.S.Balasubramanian : Petitioners in both petitions

The 2nd Petitioner is rep.for
himself and as power of attorney
for 1st and 3rd petitioners)

G.Sankarrajan(died) : Petitioners/Original Complainant

Vs.

K.Balasubramanian : Respondent in both petitions/Accused

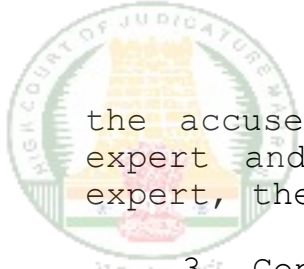
COMMON PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate Court No.1, Virudhunagar to take on file the C.C.Nos.6 nad 5 of 2007, respectively on the file of the Judicial Magistrate Court No.II, Virudhunagar transferred to the Court of Judicial Magistrate No.I, Virudhunagar on the point of jurisdiction and consequently to direct the Judicial Magistrate Court No.I, Virudhunagar to expedite and complete the trial and dispose of the case in C.C.Nos.6 and 5 of 2007 on its file as time frame fixed by this Court.

For Petitioners : Mr.I.Prabhu
(in both petitions)

COMMON ORDER

This petition has been filed to direct the learned Judicial Magistrate Court No.I, Virudhunagar to take the cases in C.C.Nos. 5 and 6 of 2007 on file and dispose of the case as expeditiously as possible within the time frame that may be stipulated by this Court.

2. The learned counsel for the petitioners submitted that originally petitioners herein are the legal heirs of the original complainant in C.C.Nos.5 and 6 of 2007, which is now pending for trial before the learned Judicial Magistrate No.I, Virudhunagar, in which the respondent herein faces charges of trial for the offence under Sections 190 (i) (a) and 200 Cr.P.C., r/w Sections 138, 141 and 142 of the Negotiable Instruments Act. He further submitted that the case is pending since 2007. The cheques have been impounded by



the accused and the same have been forwarded to the handwriting expert and under the pretext of waiting for the report of the expert, the trial is unduly delayed.

3. Considering the above, this Court now directs the learned Judicial Magistrate No. I, Virudhunagar to expedite the process of obtaining the expert's opinion on the concerned cheque and expedite the trial of the matter and conclude the same within a period of six months from the date of receipt of a copy of this order. With this direction, these criminal original petitions are disposed of.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

The Judicial Magistrate Court No.1,
Virudhunagar.

+2 CC to M/s.L.PRABHU, Advocate in SR Nos.49349, 49350

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PK/13.05.2019 : 2P/4C