



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P. (MD)No.5557 of 2019

R.Suresh

: Petitioner/Complainant

Vs.

S.Libin Sanny

: Respondent

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate, Oddanchathiram, Dindigul District to complete the trial and dispose of the case in C.C.No.451 of 2016 pending on his file within a time limit as fixed by this Court.

For Petitioner

: Mr.P.Saravanan

ORDER

This Criminal Original Petition has been filed for a direction to the learned Judicial Magistrate, Oddanchathiram, Dindigul District to complete the trial and dispose of the case in C.C.No.451 of 2016.

2.The learned counsel for the petitioner would submit that the petitioner has been running the business of selling pork and the respondent used to purchase pork from the petitioner. On 10.09.2015, the respondent purchased totally 60 numbers of pork and the sale consideration was fixed as Rs.4,00,000/- for which, the respondent paid a sum of Rs.1,00,000/- and for the balance of the sale consideration, on 01.10.2015, he issued a cheque bearing No.150559 drawn on Federal Bank, Koothattukulam Branch, Kerala. Thereafter, the petitioner has presented the same for collection before his banker, namely, the State Bank of Travancore, Oddanchathiram Branch, Dindigul District. On 12.10.2015, the said cheque was returned with an endorsement "Funds Insufficient". Hence, the petitioner issued a legal notice on 28.10.2015, and the same was received by the respondent on 09.11.2015, but there was no reply from the respondent for the same. Therefore, the petitioner filed a private complaint against the respondent under Section 138 of the Negotiable Instruments Act. The learned Judicial Magistrate, Oddanchathiram, Dindigul District, has taken cognizance in C.C.No.451 of 2016.



Thereafter, there is no progress in the said case.

3. In view of the above, the learned Judicial Magistrate, Oddanchathiram, Dindigul District, is directed to complete the trial, within a period of six months from the date of receipt of a copy of this order, if there is no legal impediments.

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

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

das
To

1. The Judicial Magistrate, Oddanchathiram,
Dindigul District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr. P. SARAVANAN , Advocate SR.No. **61401**.

Crl.O.P. (MD) No. 5557 of 2019

15.04.2019

DS/ /SAR- (26.04.2019) 2P 4C