



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P. (MD)No.5563 of 2019

R.Suresh

: Petitioner

Vs.

Penny George

: 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.457 of 2016 pending on his file within a time limit as fixed by this Court.

For Petitioner

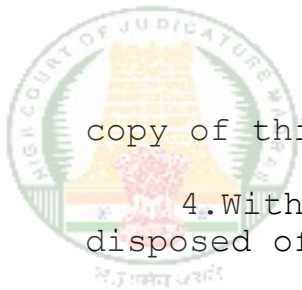
: Mr.P.Saravanan

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.457 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 09.08.2016, the respondent purchased totally 14,500 kilograms of pork and the sale consideration was fixed as Rs.14,50,000/- for which, the respondent issued a cheque bearing No.878508 drawn on Canara Bank, Koothattukulam Branch, Kerala. Thereafter, the petitioner has presented the said cheque for collection before his banker, namely, the State Bank of Travancore, Oddanchathiram Branch, Dindigul District. On 29.09.2016, the said cheque was returned with an endorsement "Funds Insufficient". Hence, the petitioner issued a legal notice on 04.10.2016, and the same was received by the respondent on 08.10.2016, 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.457 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.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Judicial Magistrate, Oddanchathiram,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.P.SARAVANAN, Advocate (SR-61402[F] dated 16/04/2019)

Crl.O.P. (MD) No.5563 of 2019
15.04.2019

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AE (26.04.2019) 2P 4c