

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.OP.No.4174 of 2020

Umakanda Das (CFO)
Authorized Rep of M/s.CCI Logistics ,
Kolkata

.. Petitioner

-vs-

Union Territory of Puducherry Rep. by
The Inspector of Police,
CBCID Police Station,
Orleanpet,
Puducherry.

.. Respondent

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the learned Chief Judicial Magistrate, Puducherry to dispose of the CC.No.499 of 2019 within a time frame.

For Petitioner : Mr.M.Vaikunth

For Respondent : Mr.V.Balamurugane,
Additional Public Prosecutor,
Puducherry

ORDER

This Criminal Original Petition has been filed by the defacto complainant to direct the Chief Judicial Magistrate, Puducherry to dispose of the case in CC.No.499 of 2019 at early.

2. The learned counsel for the petitioner has submitted that the accused persons have committed misappropriation of Rs.3,03,67,088/- in the petitioner Company and hence the petitioner has lodged a complaint before the respondent on 20.04.2012 and based on the same the respondent has registered an FIR in Cr.No.06 of 2012 for the offences under Sections 408, 419, 420, 424, 467, 468, 471, 477 and 120-B of IPC r/w Section 34 of IPC against seven accused persons. He further submitted that after registering the FIR, the respondent did not take any steps to complete the investigation and hence the petitioner has filed Crl.OP.No.11702 of 2018 seeking direction to the respondent to file a final report at early. This Court, by the order dated 12.06.2018 has directed the respondent to file final report within a period of six months. Only thereafter, the respondent has filed a final report and based on the same, the learned Chief Judicial Magistrate, Puducherry has taken the case on file in CC.No.499 of 2019. He further submitted that the accused persons are not co-operating for early disposal and the Trial Court also does not show any interest for disposal of the above said case at early. Therefore, he requests to direct the Trial Court to dispose of the above said case at early.

3. The learned Additional Public Prosecutor has submitted that since summons have not been served to all the accused, the Trial Court is not able to make progress and hence he requests to fix a reasonable time for disposal of the above said case.

4. A perusal of the diary extract shows that so far summons not served on A4. Taking into consideration of the same and also the submission made by the learned counsel for the petitioner that the offence said to have taken place in the year 2012, the Trial Court is directed to dispose of the case in CC.No.499 of 2019 as early as possible.

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

Sd/-
Assistant Registrar(CS VI)
//True Copy//

Sub Assistant Registrar

To

1. The Chief Judicial Magistrate,
Puducherry.

2.The Inspector of Police, Union Territory of Puducherry,
CBCID Police Station,
Orleanpet,
Puducherry.

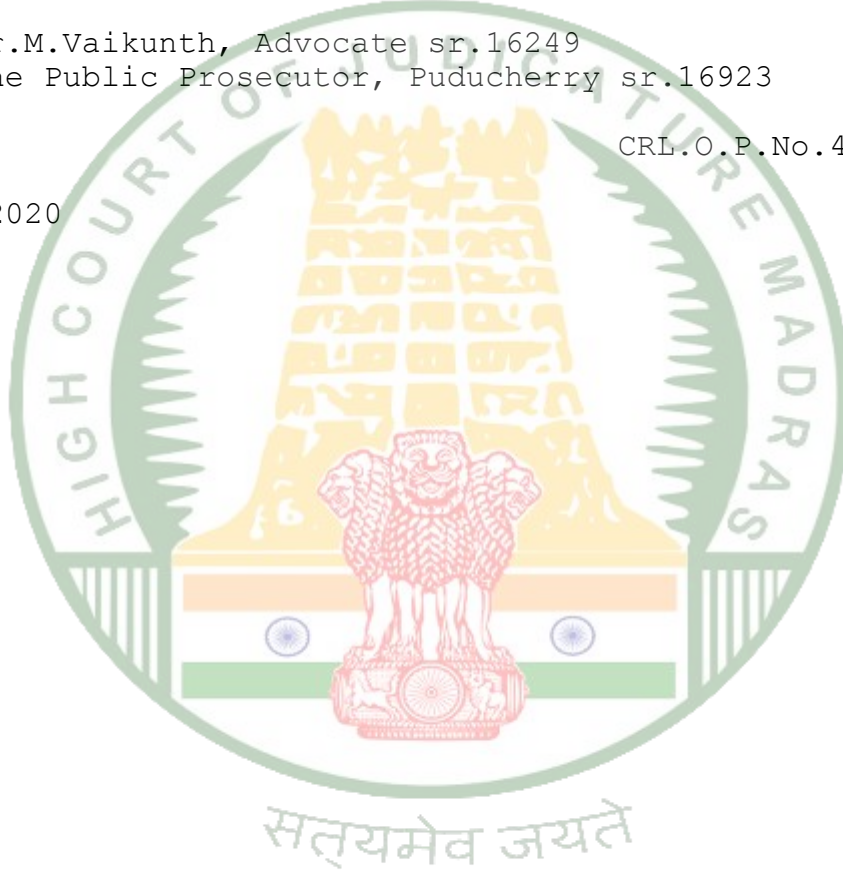
3. The Public Prosecutor,
High Court, Madras-104

+1cc to Mr.M.Vaikunth, Advocate sr.16249

+1cc to The Public Prosecutor, Puducherry sr.16923

CRL.O.P.No.4174 of 2020

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