

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.05.2020

CORAM:

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

Crl.O.P.No.7572 of 2020

L.B.Traders Export and Import,
Rep.by its Proprietor D.L.Vijaya Dhas M/A 62
Having registered office at
No.2/50-A Kamarajar Street, 1st lane,
Thiruvalluvar Nagar, Ayanavaram
Chennai 600023. Petitioner

Vs

M/s. Alfa Traders,
Rep by its Proprietor A. Mohammed Hussain
Having registered office at
No.2/991, Falcon Tower,
Kootupatha, Palakkad, Kerala 678007 Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned Magistrate, Metropolitan Magistrate Court (FTC-1), Egmore (Camp at Allikulam) to take cognizance of the case filed on 6.11.2019 vide S.R.No.2905 of 2019 as early as possible without any further delay and issue summons to the respondent/accused as early as possible.

For Petitioner : Mr.A. Abdul Rahim

For Respondent : Ms.Krithiga Kamal
Government Advocate (Criminal Side)

ORDER

This petition has been filed to direct the learned Magistrate, Metropolitan Magistrate Court (FTC-1), Egmore (Camp at Allikulam) to take cognizance of the case filed on 6.11.2019 vide S.R.No.2905 of 2019 as early as possible without any further delay and issue summons to the respondent/accused as early as possible. .

2. The only grievance of the petitioner is that his complaint filed under section 138 of the Negotiable Instruments Act has not been numbered. The petitioner being a senior citizen, the delay in numbering the private complaint will give advantage to the accused. Hence, sought directions to the

Magistrate to take cognizance of the offence under section 138 of the Negotiable Instruments Act and issue process to the accused.

3. It is the contention of the petitioner that the complaint was presented on 06.11.2019. But the same has not been numbered despite the proof affidavit has been filed.

4. Taking note of the fact that the petitioner is a senior citizen, the learned Magistrate is directed to take cognizance of the complaint filed by the petitioner, if the complaint disclose the ingredients of the offence, after following appropriate proceedings and issue process to the accused as early as possible.

5. With the above observations, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

vrc/ggs

To

The learned Magistrate,
Metropolitan Magistrate Court (FTC-1),
Egmore

Cr1.O.P.No.7572 of 2020

AD (CO)
GMY (26/08/2020)

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