

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 22.07.2020
PRONOUNCED ON : 30.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.4851 of 2017

M.Kumar

... Petitioner/Complainant

Vs.

M.Ganapathy

... Respondent/Accused

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to invoke its supervising power on the XVII Metropolitan Magistrate, Saidapet, Chennai in respect of the pending case in C.C.No.2465 of 2015 to dispose the matter expeditiously within fifteen days on receipt of the order of this Court.

For Petitioner : No representation

ORDER

This Criminal Original Petition has been filed seeking for a direction to complete the trial in C.C.No.2465 of 2015 pending on the file of the XVII Metropolitan Magistrate Court, Saidapet, Chennai.

2.No representation for the petitioner and either in person or by his respective counsel.

3.The contention of the learned counsel for the petitioner is that the respondent has been delaying and dragging on the proceedings from the 2015. In support of the same, the petitioner has filed adjudication in C.C.No.2465 of 2015 till 23.11.2016. From the adjudication, it is seen that the respondent/accused was absent on the date of hearing and the case was periodically adjourned. On 26.10.2016, NBW was issued. At this stage this petition has been filed.

4.On verification from the official website of District Court (E-COURTS), it is found that the trial in C.C.No.2465 of 2015 is pending and the case is at the stage of evidence and the next hearing is on 27.07.2020.

5.The petitioner, who is a complaint has filed the case in the year 2015, for the past five years, the case is pending without any progress. The respondent, by adopting delay tactics, successfully dragging on the trial.

6.In view of the same, the learned XVII Metropolitan Magistrate, Saidapet, is directed to proceed with the trial in day to day basis and complete the same within a period of three months from the date of lifting of lock down and regular functioning of Court below. If need, take bond for appearance of the respondent/accused.

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

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

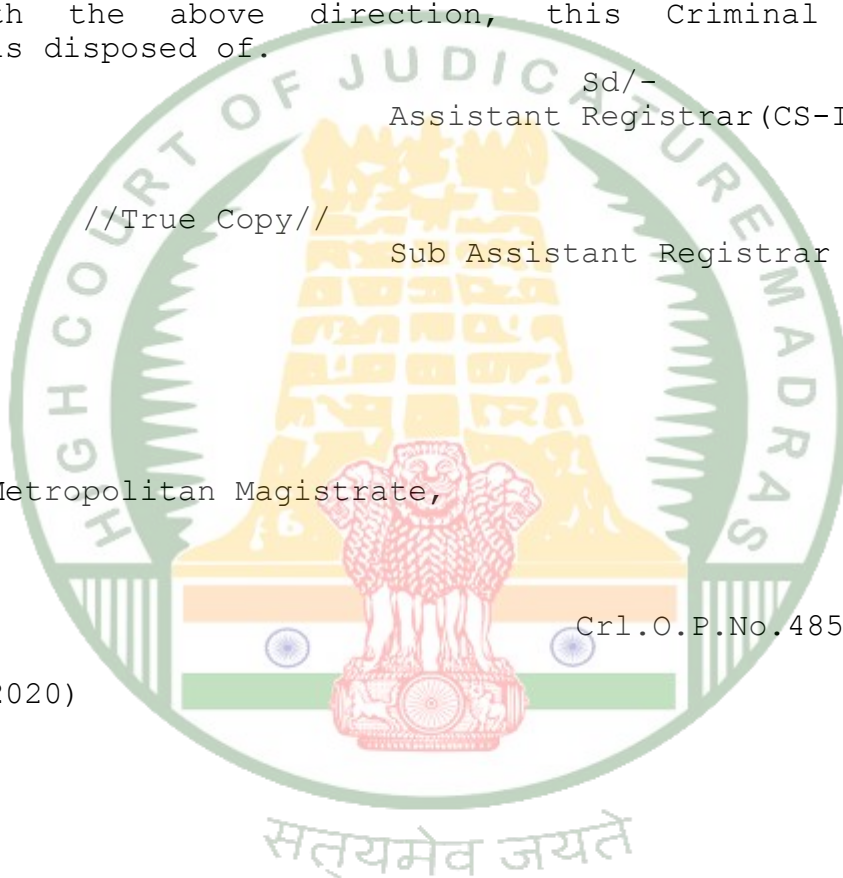
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To

The XVII Metropolitan Magistrate,
Saidapet,
Chennai.

SR(CO)
CB(13/10/2020)

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