

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.08.2020

CORAM

THE HONOURABLE MR. JUSTICE. M. NIRMAL KUMAR

CrI. O.P. No.12947 of 2017

Jeyam,
W/o. M. Murugesan

... Petitioner

Vs.

Selladurai,
S/o. Muthu

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the Judicial Magistrate No.I, Namakkal to dispose of the cheque case in C.C.No.2 of 2012 within the stipulated period of time as fixed by this Court.

For Petitioner : Mr. P. Rathanavel
For Respondent : Mr. C. S. Saravanan

ORDER

(This case has been heard through video conferencing)

This petition has been filed by the Petitioner/Complainant in C.C.No.2 of 2012 seeking to dispose of the complaint within the stipulated period by the Judicial Magistrate No.I, Namakkal.

2. The contention of the Petitioner/Complainant is that the complaint was filed on 13.12.2011 and thereafter sworn statement were recorded and summons were issued to the respondent on 09.02.2012 and the copies of the complaint was served on the respondent on 03.05.2012. The petitioner was examined herself as PW1 and marked exhibits Exs.P1 to P5 on 01.10.2012 and thereafter the respondent was questioned under Section 313 Cr.P.C., on 22.11.2012 and the case was posted for cross examination of PW1 on 03.01.2013 the case was adjourned for cross examination of P.W.1 on several hearings viz., 13 hearings. Even thereafter, the respondent did not come forward to cross examine the PW1 and thereafter, evidence was closed. Again, the respondent had filed a recall petition under Section 311 Cr.P.C., on 08.10.2013 and thereafter, the case was adjourned on the ground that C.M.P.No.7653 of 2013 (Section 311 Cr.P.C.,) on various hearings viz., 19 hearings and thereafter, the respondent was cross examined PW1 in part.

3. The learned counsel appearing for the respondent would submit that though the respondent was present and was unable to give any information to this Court and at this time the learned Additional Public Prosecutor submits that who was in the proceedings had viewed the E-Court proceedings and submitted that C.C.No.2 of 2012 was tried by the Judicial Magistrate No.I, Namakkal and it was ended in acquittal by the judgment dated 29.12.2017.

4. Recording the same, nothing survives in this petition. Hence, the Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

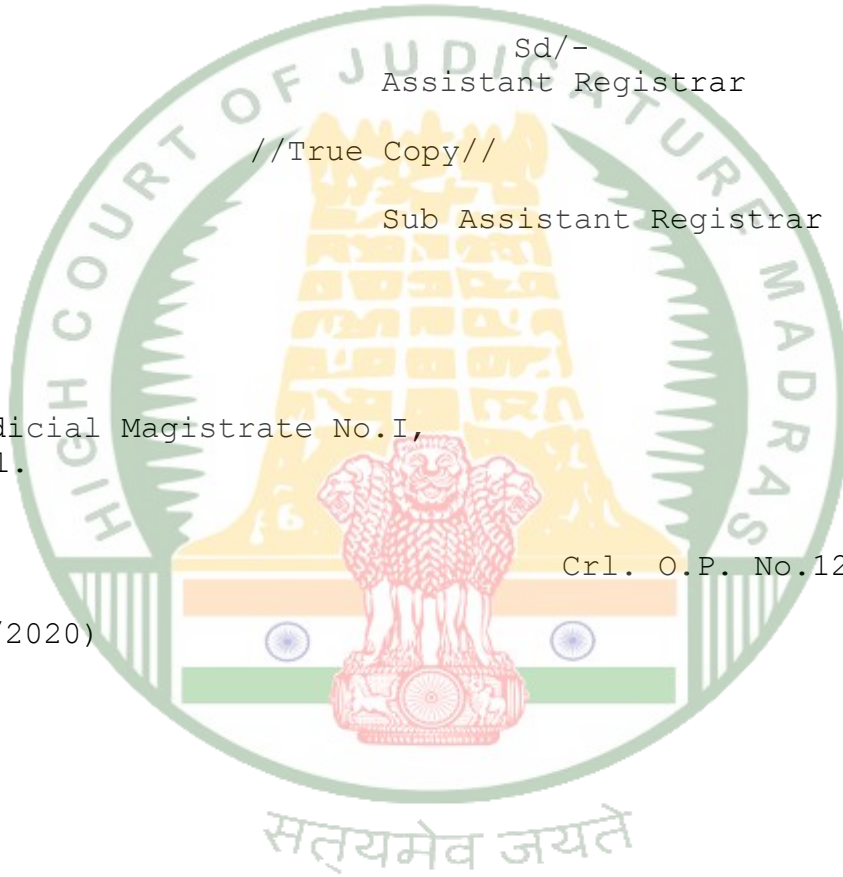
SSI

To

1. The Judicial Magistrate No.I,
Namakkal.

Cr1. O.P. No.12947 of 2017

AJS (CO)
RMP (02/11/2020)



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