

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.09.2020
CORAM
THE HONOURABLE MR. JUSTICE T.RAVINDRAN
Crl OP.No.31463 of 2019

Arivudai Nambi

...Petitioner

Vs.

Mr. Lakshmanan

...Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.PC praying to direct the learned Judicial Magistrate No.1, Chengalpattu to complete the trial in C.C.No.288 of 2019 at an early date/within a stipulated period as fixed by this Hon'ble Court.

For Petitioner : M/s. C. Selvi George

For Respondent : Mr. V. Elangovan

ORDER

This Criminal Original Petition has been laid by the petitioner seeking for a direction to the Judicial Magistrate Court No.I, Chengalpattu to complete the trial in C.C.No.288 of 2019 within a specified time frame.

2. It is found that the petitioner has levied the case against the respondent under Section 138 of the Negotiable Instrument Act and the case has been taken on file in C.C.No.288 of 2019. It is now stated that the matter stands adjourned for the examination of P.W.1. Now according to the petitioner, no significance progress has been made in the commencement of the trial and unless a direction is given to the concerned Judicial Magistrate to conclude the trial within a particular time frame, the matter would not get concluded within a reasonable time. Furthermore, the petitioner would also blame the respondent for the delay in the trial proceedings.

3. Per contra, the respondent's counsel would contend that he has not contributed any delay in the conclusion of the trial and he is cooperating with the trial proceedings in the concerned Judicial Magistrate Court.

4. Without prejudice to the contentions of the either parties with reference to the progress of the trial and inasmuch as the procedure contemplated for the disposal of the cheque bouncing cases is only a summary trial as averred in Section 143 of the Negotiable Instrument Act and furthermore the trial on such cases should be concluded as early as possible, particularly every endeavour shall be made to conclude the trial within six months from the date of filing, in all fairness, I deem it necessary to give a direction to the concerned Judicial Magistrate Court to dispose of the criminal case in C.C.No.288 of 2019 within a particular time frame.

5. Accordingly, in the light of the abovesaid factors, the Judicial Magistrate Court No.1, Chengalpattu is directed to complete the trial in C.C.No,288 of 2019 within a period of five (5) months from the date of receipt of a copy of this order in accordance with law.

6. Accordingly, the Criminal Original Petition is disposed of.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

bga

Copy to
The Judicial Magistrate No. I,
Chengalpattu.

+1 cc to M/s.S.Doraisamy Advocate sr29198

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