



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

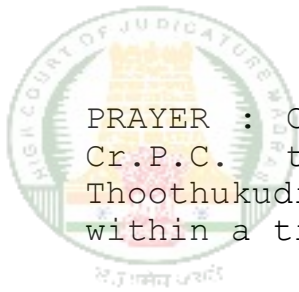
Crl.O.P. [MD] .No.19444 of 2019

Gnanamuthu : Petitioner/Defacto Complainant

Vs.

1. Balamurugan
Collection Agent,
Sriram City Union Finance Ltd.,
70-H, Balavinayagar Kovil Street,
K.V.S English School, 1st Street,
Tuticorin 2
2. Sriram City Union Finance Ltd.,,
70/H, Balavinayagar Kovil Street,
K.V.S. English School,
1st Floor, Tuticorin-2
3. Sriram Chits Investment Ltd.,
70/12H, Balavinayagar Kovil Street,
K.V.S. English School,
1st Floor, Tuticorin-2
4. Sriram Chits Tamilnadu Ltd.,
70/12H, Balavinayagar Kovil Street,
K.V.S. English School,
1st Floor, Tuticorin-2
5. Sriram City Union Finance Ltd.,
Regional Office,
No.50/5A, 1st Floor,
Sumangali Shopping Complex,
Tiruvanandapuram Road,
Vannarpettai, Tirunelveli
6. Pulton
7. The Inspector of Police
District Crime Branch,
Thoothukudi.

: Respondents/Respondents



PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the Learned Judicial Magistrate No.III, Thoothukudi to expedite the proceeding in Cr.M.P.No.10863 of 2019 within a time frame as may be fixed by this Court.

For Petitioner : Mr.J.David Ganesan

For R7 : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.III, Thoothukudi, to expedite the proceedings in Cr.M.P.No.10863 of 2019 within a time frame as may be fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner is a Government servant and by fabricating and misusing his pay-slips, the accused persons have borrowed loan from Sriram City Union Finance Limited. Based on that, the petitioner is made to suffer. Since an amount of Rs.6,000/- is recovered from his salary, the petitioner had given a complaint before the District Crime Branch, on 01.11.2018 and an enquiry was conducted by the District Crime Branch on the petitioner's complaint in Complaint No.P4/046747/2694/2018 and the respondents assured to return the money to the petitioner, but they have not paid the amount and thereby the petitioner filed a private complaint under Section 156 (3) Cr.P.C. in Cr.M.P.No.10863 of 2019, seeking for an appropriate direction to the Inspector of Police, CBCID, Thoothukudi, to register a case against the accused for the offences under Sections 120(B), 417 and 420 I.P.C., before the learned Judicial Magistrate No.III, Thoothukudi. Though the private complaint was filed on 29.07.2019, the learned Magistrate had given repeated adjournments and thereby, the petitioner filed this Criminal Original Petition, seeking to expedite the proceedings in Cr.M.P.No.10863 of 2019.

3. Earlier this Court, by an order dated 06.01.2020 directed the Registry to call for report from the Judicial Magistrate No.III, Thoothukudi in Cr.M.P.No.10863 of 2019. Today, this Court has received the report from the learned Principal District Munsif / Judicial Magistrate No.III (FAC), Thoothukudi in reference D.No.104/2020, dated 20.01.2020, in which, it had been stated that the learned Principal District Munsif is placed in Full Additional incharge of nine Courts and he is attending the day today affairs of all the above said Courts and thereby, he is unable to proceed with the hearing.

4. In view of the same, this Criminal Original Petition stands disposed of with a direction to the learned Judicial Magistrate



No.III, Thoothukudi to expedite the proceeding in Cr.M.P.No.10863 of 2019 and complete the same within a period of six months from the date of receipt of a copy of this order.

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// True Copy //

Sd/-

Assistant Registrar (records)

/ /2020

Sub Assistant Registrar(CS)

Is

To

1.The Judicial Magistrate No.III,
Thoothukudi.

2.The Principal District Munsif,
Thoothukudi.

3.The Inspector of Police
District Crime Branch,
Thoothukudi.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.J.DAVID GANESAN, Advocate (SR-4183[F] dated
31/01/2020)

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29.01.2020

MK (17.02.2020) 3P 6C