IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.18379 of 2020

M/s.M.R.Construction & Developers,
Rep.by Proprietor
Mr.V.Manjunatha Reddy, M/43.
Son of Late.Venkata Reddy,
No.5, 4th Cross,
Shanthi Nagar West,
Hosur Town & Taluk,
Krishnagiri District. ...Petitioner

.Vs.

R.Govind ...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Judicial Magistrate (Fast Track Court) at Hosur to take the complaint on file filed by the petitioner herein Unnumbered STC No. of 2020 and number the same and issue summons to the accused and to dispose of the same in accordance with law.

For Petitioner : Mr.R.Jayaprakash

O R D E R

This Criminal Original Petition has been filed for a direction to the Court below to take the complaint filed by the petitioner on file and to deal with the same in accordance with law.

2.The case of the petitioner is that he has filed a complaint before the Court below for an offence under Section 138 of the Negotiable Instruments Act. The further case of the petitioner is that there was a delay of 49 days in filing the complaint and a petition was also filed to condone this delay. The grievance of the petitioner is that the Court below has returned the entire papers on 17.07.2020 and when the petitioner represented the complaint on 03.08.2020, the Court below again returned back the complaint stating that the complaint is

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barred by limitation. Left with no other alternative, the present petition has been filed before this Court.

3.Taking into consideration the facts and circumstances of the case, there shall be a direction to the learned Judicial Magistrate, Fast Track Court at Hosur, either to take the complaint on file or pass orders rejecting the complaint by assigning reasons. This process shall be completed by the Court below within a period of one month from the date of receipt of copy of this order.

4.This criminal original petition is disposed of with the above directions.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

KP
To

1. The Judicial Magistrate,
   Fast Track Court,
   Hosur.

2.The Public Prosecutor,
   High Court, Madras.

+1cc to M/s.R.Jayaprakash, Advocate Sr.638

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