



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.21574 OF 2021

R.Varadarajan

...Petitioner/Complainant

Versus

V.Dhasaratharaman

... Respondent/Accused

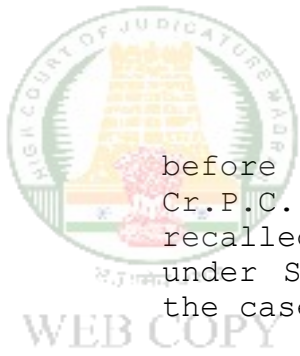
PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure for a direction to expeditiously dispose of the S.T.C.No.151 of 2017, pending on the file of the learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi.

For Petitioner : Mr.P.Prithvi Chopda

O R D E R

This petition has been filed by the petitioner/accused seeking for a direction to the learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi to expeditiously dispose of the S.T.C.No.151 of 2017.

2. The case of the petitioner is that he lodged a complaint under Section 138 of the Negotiable Instruments Act against the respondent in S.T.C.No.151 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi and the same was taken on file on 04.05.2017 and thereafter for one reason or the other it has been periodically adjourned. It is further stated that despite the service of summons on the respondent, he has not appeared and therefore bailable warrant was issued against him on 14.02.2018 and thereafter the case has been periodically adjourned. It is further stated that in the meanwhile due to Covid 19 situation, the case has been periodically adjourned and on 19.11.2020, the trial court had issued execution of bailable warrant through Branch Manager, L.I.C, Thiruthuraipoondi where the respondent/accused is employed. Thereafter, on 09.12.2020, the accused surrendered



before Lower Court and filed a petition under Section 70 (2) Cr.P.C.. was filed to recall bailable warrant and the same was recalled directing the respondent to furnish bond and sureties under Section 88 of Cr.P.C. Thereafter, for execution of bond the case has been adjourned from 23.12.2020 to 23.07.2021.

3. It is further stated that on the other hand, the accused on 19.08.2021, through his counsel has made a submission before the trial Court that the matter could be settled and requested to post the matter before Lok Adalat and again on 11.09.2021 as no compromise took place, the matter was referred to Regular Court and is pending till date.

4. The main grievance of the learned counsel appearing for the petitioner is that the trial Court is mechanically adjourning the matter and now the trial is in initial stage for execution of bond by the accused.

5. Considering the submission made by the learned counsel for the petitioner as the trial is in initial stage, the trial Court is directed to complete 88 Cr.P.C.. proceedings and thereafter to conduct the trial on this case, on a day-to-day basis and complete the same within a period of three weeks from the date of receipt of a copy of this order and if the respondent is found to adopt any dilatory tactics, necessary action shall be taken against him.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

The Judicial Magistrate, Fast Track Court,
Thiruthuraipoondi.

+1cc to Mr.P.Prithvi Chopda, Advocate, S.R.No.61782

Crl.O.P.No.21574 of 2021

GPL(CO)

RLP(17/12/2021)