



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.23011 OF 2021

Cameron Anthony Daniel

... Petitioner

Versus

V.Elango

... Respondent

PRAYER:

Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to direct the learned Fast Track Judge V, Saidapet to expedite the Trial in the above C.C.No.1586 of 2019 on his file within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr.M.Abdul Razack

ORDER

The petitioner lodged a private complaint against the respondent under Section 138 NI Act, which is now pending for trial, in C.C.No.1586 of 2019, on the file of the Fast Track Judge V, Saidapet.

2.The contention of the learned counsel for the petitioner is that the accused has been adopting dilatory tactics initially and refused to receive the summon. Thereafter, with great difficulty, summon was served, bailable warrant has been issued, the accused appeared and filed recalled petition on 25.03.2021. Thereafter, the case was posted for evidence. The trial Court, citing Covid-19 lockdown, not proceeded with the trial on 27.04.2021. On 19.07.2021, the trial Court recorded that the case comes under the jurisdiction of FTC-V, Saidapet, Chennai - 15 and hence, the case has to be transferred from FTC-III to FTC -V. Now, the case is directed to be posted on 18.11.2021, on which date, the presiding officer was on leave and the case was posted on 01.12.2021. Still the case is at the trial stage.

3.The grievance of the petitioner is that from the year



2019, he is unable to proceed with the trial and seeks a direction to conclude the trial within a reasonable period.

4.Finding that the case is pending from the year 2019 and finally, the accused appeared on 10.07.2019 and copies received. Thereafter, NBW was recalled on 25.03.2021, this would show that the accused has been dragging the trial. In view of the same, this Court directs the trial Court to complete the trial in C.C.No.1586 of 2019, within a period of three months from the date of receipt of a copy of this order. Accordingly, the criminal original petition is disposed of.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sms

To

The learned Fast Track Judge
No.V, Saidapet.

+1cc to Mr.M.Abdul Razack, Advocate, S.R.No.64428

CRL.O.P.No.23011 of 2021

PM/23/12/202