



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVA**

Crl.O.P. (MD)Nos.5514 and 5516 of 2021

N.Muthuramalingam

... Petitioner/ Complainant
(in both petitions)

Vs.

R.Marnadu

... Respondent/ Accused
(in both petitions)

Prayer : Criminal Original Petitions is filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate Court-II, Virudhunagar to complete the trial in C.C.Nos.19 and 20 of 2019 within the time frame that may be stipulated by this Court.

For Petitioner : Mr.V.P.Rajan
(in both petitions)

COMMON ORDER

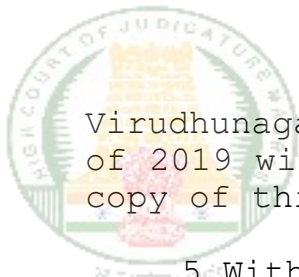
These criminal original petitions have been filed seeking a direction to the learned Judicial Magistrate Court-II, Virudhunagar, to complete the trial in C.C.Nos.19 and 20 of 2019 within the time frame that may be stipulated by this Court.

2.The case of the petitioner is that the respondent borrowed money from the petitioner to develop his business. On 30.07.2018 and 20.08.2018, the respondent requested him to pay Rs.1,10,000/- and Rs.2,90,000/- respectively to purchase rice from the other State. The petitioner paid the said amount. Thereafter, the respondent issued a cheque bearing Nos.079442 and 079943 dated 10.08.2018 and 01.09.2018 respectively drawn on Federal Bank, Virudhunagar for discharging his liability. The said cheques were presented for collection and the same returned with an endorsement "insufficient fund". Thereafter, the petitioner issued a legal notice dated 29.11.2018. The respondent received the said notice on 03.12.2018. Since the respondent did not come forward to pay the cheques amount, the petitioner filed complaint under Section 138 r/w 142 of the NI Act before the learned Judicial Magistrate Court-II, Virudhunagar.

3.According to the learned counsel for the petitioner, even though the case was filed in the year 2019, the respondent has not appeared on several hearings. So, bailable warrant was issued to him and later, it was recalled. Again, due to his absence, warrant has been issued in C.C.No.20 of 2019, on 12.02.2021.

4.Considering the facts and circumstances of the case, there shall be a direction to the learned Judicial Magistrate No.II,

<https://hcservices.ecourts.gov.in/hcservices/>



Virudhunagar, to complete the trial proceedings in C.C.Nos.19 and 20 of 2019 within a period of six months from the date of receipt of a copy of this order and send a compliance report to the Registry.

5. With the above directions, these Criminal Original Petitions are disposed of.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Judicial Magistrate Court-II,
Virudhunagar.

Crl.O.P. (MD) Nos. 5514 and 5516 of 2021
19.04.2021

ARK (CO)

KB (25.05.2021) 2P 2C