



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3952 of 2022

K.Hema Kumar

... Petitioner/Complainant

Vs.

M/s.AR Devarajulu Naidu & Sons,
Proprietor,
Suresh Sanjay
Murguan Bhavan,
No.751, P.H.Road, Kilpauk,
Chennai - 600 004.

... Respondent/Accused

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleaded to direct the learned Fast Track-IV, Metropolitan Magistrate, George Town at Chennai to dispose of the Crl.M.P.No.4190 of 2021 in CC.No.964 of 2020.

For Petitioner : Mr.K.Sahithya

O R D E R

This petition has been filed seeking to direct the learned Fast Track-IV, Metropolitan Magistrate, George Town, Chennai to dispose of the Crl.M.P.No.4190 of 2021 in CC.No.964 of 2020.

2. The case of the petitioner is that he had filed complaint against the respondent in C.C.No.964 of 2020 on the file of the learned Fast Track Court-IV, Metropolitan Magistrate Court, George Town, Chennai against the respondent/accused for the offences under Section 138 of the Negotiable Instrument Act in respect of dishonour of cheque for a sum of Rs.17,85,000/-. After summoning the accused, he entered appearance on 20.01.2021 and he executed suriteis under Section 88 of the Cr.P.C., and the accused had pleaded not guilty. The petitioner immediately on 03.03.2021, filed a petition under Section 143-A of Negotiable Instrument Act seeking to direct the accused to pay the interim compensation. The accused had not filed counter



till date and he is dragging on the proceedings, thereby the present petition has been filed seeking for a direction to the learned Trial Judge to pass an order in CrI.M.P.No.4190 of 2021.

3. The learned counsel for the petitioner would submit that Section 143-A was inserted by Act 20 of 2018 with effect from 01.09.2018, to alleviate the general greivance of the complainant, whereas the respondent is dragging on the proceedings defeating the purpose of introduction of Section 143-A of the Negotiable Instrument Act.

4. Heard the learned counsel for the petitioner and perused the materials available on records.

5. The petition under Section 143-A has been filed on 13.03.2021, the respondent accused has not filed the counter and it is kept pending for the past more than 10 months.

6. In view of the above, a direction is issued to the learned Fast Track-IV, Metropolitan Magistrate, Goerge Town, Chennai to dispose of the CrI.M.P.No.4190 of 2021 in CC.No.964 of 2020 within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jas/tsh

To

The learned Fast Track-IV,
Metropolitan Magistrate,
Goerge Town, Chennai.

+1cc to Mr.K.Sahithya, Advocate SR.No.12414

CrI.O.P.No.3952 of 2022

RSI(CO)
GN(16/03/2022)