



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.No.5317 of 2022

S.Kennady

... Petitioner/Complainant

Vs.

K.Ganesh Pandi, Proprietor,
M/s.Sakthi Constructions,
No.3/390, 9th Street, Venkateswara Nagar,
(Near Government Hospital - Behind KFC)
Kotivakkam, Chennai 600 041.

... Respondent/Accused

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Metropolitan Magistrate Court/FTC-V, Saidapet, Chennai to dispose of the C.C.No.1966 of 2018 within a time frame to be stipulated by this Court.

For Petitioner : Mr.C.Saibaba

O R D E R

This Criminal Original Petition has been filed to direct the Metropolitan Magistrate Court/FTC-V, Saidapet, Chennai to dispose of the C.C.No.1966 of 2018 within a time frame to be stipulated by this Court.

2.The case of the petitioner is that he is a complainant in C.C.No.1966 of 2018. After the complaint was taken on file, summon was issued to the respondent/accused and he entered an appearance on 20.06.2018, copies were served on him on the same day. The accused was questioned on 19.07.2018. Thereafter, the petitioner gave evidence by way of filing proof affidavit. Thereafter the matter has been repeatedly adjourned for cross examination of PW1 on various days viz., 07.02.2019, 11.04.2019, 06.06.2019, 25.06.2019, 02.08.2019, 07.09.2019, 18.09.2019, 04.10.2019, 14.11.2019, 25.11.2019, 08.01.2020 etc., Subsequently, the case was adjourned due to Covid-19 from 31.03.2020 to 18.02.2021. Meanwhile, Non Bailable Warrant was



issued to the accused on 14.11.2019. Thereafter, the accused surrendered on 08.01.2020 and paid a sum of Rs.40,000/- to the petitioner. Thereafter, the matter was adjourned for the cross examination of PW1. When the matter was listed for cross examination on 18.02.2020, the respondent was not ready to cross examine the witnesses. Subsequently, the matter has been adjourned from time to time for defence side witnesses, but the respondent did not take any steps and the Complaint is pending without any progress. Thereby the present petition has been filed seeking for a direction the concerned Trial Judge to complete the trial at the earliest.

3. Heard both sides and perused the materials available on record.

4. In view of the above, direction is issued to the learned Metropolitan Magistrate, FTC -V, Saidapet, Chennai to dispose of the case in C.C.No.1966 of 2018 as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The Metropolitan Magistrate,
Fast Track Court-V,
Saidapet, Chennai.
2. Do Through,
The Chief Metropolitan Magistrate,
Chennai.

+2ccs to M/s.G.Sai baba, Advocate, S.R.No.15610

CRL.O.P.No.5317 of 2022

KK (CO)
SU (24/03/2022)