



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.9023 of 2022

A.Ganesan
Rep.by its
Power of Attorney A.Shanthi ... Petitioner/Complainant

Vs.

K.Sundar ... Respondent/Accused

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., pleaded to direct the Metropolitan Magistrate, V-FTC at Magistrate Level, Saidapet, Chennai - 15 to expedite the trial in C.C.No.4552 of 2018 and complete the same within a reasonable time frame fixed by this Hon'ble Court.

For Petitioner : Ms.Kritika Kamal. P

O R D E R

The Criminal Original Petition has been filed seeking to direct the Metropolitan Magistrate, V-FTC at Magistrate Level, Saidapet, Chennai - 15 to expedite the trial in C.C.No.4552 of 2018 and complete the same within a reasonable time frame fixed by this Court.

2. Learned counsel appearing for the petitioner would submit that the petitioner is a complainant in C.C.No.4552 of 2018, pending on the file of the Metropolitan Magistrate, V-FTC at Magistrate Level, Saidapet, Chennai - 15 for offences under Section 138 of the NI Act, in respect of the dishonor of cheque for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) dated 31.08.2017. After issue of statutory notice, the complaint was filed and it was taken on file during the year 2018 in C.C.No.4552 of 2018 on the file of the III-FTC, Saidapet, Chennai - 15. Later, on administrative grounds, it was



transferred to the file of the present trial Court. Thereafter, since, the respondent/accused absconding, the trial Court had issued Non Bailable Warrant of arrest twice and that were recalled. Subsequently, the respondent had also filed an application to recall PW1 and it was allowed and it was posted for cross examination of PW1 on 01.10.2021.

3. She would further submit that the case has been repeatedly adjourned for the same purpose and the respondent/accused is purposely not appearing to delay the trial. She would also submit that due to the delay in the trial, the petitioner is facing severe hardship and the trial Court is repeatedly adjourning the case.

4. Heard the learned counsel and perused the materials available on record including the E-Court Status.

5. It is seen that the evidence of the petitioner was closed on 25.04.2019 and once again, it was reopened for cross examination of PW1 and from 01.10.2021, the case has been repeatedly adjourned for no reason. There seems to be no progress in the trial.

6. In view of the above, this Criminal Original Petition stands disposed of with a direction to the Metropolitan Magistrate, V-FTC at Magistrate Level, Saidapet, Chennai - 15 to complete the trial in C.C.No.4552 of 2018 and deliver the judgment as expeditiously as possible preferably within a period of four months from the next date of hearing i.e., on 29.04.2022.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rgi
To

1.The Metropolitan Magistrate,
V-FTC at Magistrate Level, Saidapet, Chennai - 15

+1 cc to Ms.Kritika Kamal. P, Advocate Sr.NO. 273457

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AJS(CO)
A.SK(17/05/2022)