



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.8690 of 2022

P.Ragulan

... Petitioner

Vs.

R.Sivaraman

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Metropolitan Magistrate, III-FTC at Magisterial Level, Saidapet, Chennai 15 to expedite the trial in C.C.No.6514 of 2014 and complete the same within a reasonable time frame fixed by this Court.

For Petitioner : Ms.Kritika Kamal.P

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the Metropolitan Magistrate, III-FTC at Magisterial Level, Saidapet, Chennai 15 to expedite the trial in C.C.No.6514 of 2014 and complete the same within a reasonable time frame fixed by this Court.

2. Learned counsel for the petitioner would submit that the petitioner is the complainant in C.C.No.6514 of 2014 pending on the file of the Metropolitan Magistrate, III-FTC at Magisterial Level, Saidapet, Chennai 15 for the offence under Section 138 of NI Act in respect of two dishonoured cheques bearing Nos.000151 and 000152 issued during the year of 2014. The complaint was originally filed before XIV Metropolitan Magistrate Court, Egmore, Chennai and the case was taken up in C.C.No.8597 of 2014 on 09.07.2014. The matter was kept pending for deciding jurisdiction for 3 years. Thereafter, PW1 was examined in chief on 19.02.2017. Subsequently, the case was transferred on point of jurisdiction to FTC III, Saidapet, Chennai. He would further submit that the case was adjourned to 22.01.2018 for continuation of cross of PW1 and adjourned to 26.02.2018, 25.06.2018 and 03.08.2018 on which date PW1 cross was closed and the matter was posted for defence side evidence on 05.10.2018, 13.11.2018 and 11.12.2018. Thereafter, once again the matter was



adjourned on 05.02.2019. Thereafter, the accused had filed application under 311 of Cr.P.C for recalling the petitioner and it was allowed. The accused had been continuously taking time even prior to the pandemic. There was no progress in the trial for the past two years. Thereby, the present petition has been filed seeking for a direction to the learned Trial Judge to expedite the trial in C.C.No.6514 of 2014 .

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. It is the case of the year 2014, the petitioner has been examined in chief on 19.02.2017 and the evidence had been closed on 03.08.2018. The case had been posted for cross. Thereafter, the accused had filed the application under 311 of Cr.P.C and it has been allowed. Thereafter, there is no progress in this case.

5. In view of the above, direction is issued to the learned Metropolitan Magistrate, III-FTC at Magisterial Level, Saidapet, Chennai 15 to complete the trial in C.C.No.6514 of 2014 as expeditiously as possible preferably, within a period of three months.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

shk/sai

To

The Metropolitan Magistrate,
III-FTC at Magisterial Level,
Saidapet, Chennai 15.

+1cc to Ms.Kritika Kamal.P, Advocate, S.R.No.26738

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SKM[co]
NSK 10/05/2022