



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8884 of 2022

A.Ganesan

... Petitioner

Vs

K.Sundar

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the Metropolitan Magistrate, V-FTC, Saidapet, Chennai - 15 to expedite the trial in C.C.No.6487 of 2018 and complete the same within a reasonable time frame fixed by this Court.

For Petitioner : M/s.P.Kritika Kamal

ORDER

This Criminal Original Petition has been filed to direct the Metropolitan Magistrate, V-FTC, Saidapet, Chennai - 15 to expedite the trial in C.C.No.6487 of 2018 and complete the same within a reasonable time frame fixed by this Court.

2. The petitioner is the complainant in C.C.No.6487 of 2018 pending on the file of the learned Metropolitan Magistrate, V-FTC, Saidapet, Chennai - 15 for the offence under Section 138 of the Negotiable Instruments Act, in respect of dishonour of cheque dated 03.12.2017, issued for Rs.5,00,000/-. He would further submit that the case was taken on file in C.C.No.6487 of 2018 and the petitioner has examined himself as PW1 on 05.02.2019. Thereafter, there is no progress in the trial pre-Covid as well as post-Covid period. He would submit that the non-bailable warrant was issued to the respondent thrice and they were recalled. However, he would submit that he had not cross examined the petitioner and thereby, the petitioner is put to severe hardship.

3. Heard the learned counsel for the petitioner and perused the materials available on record including e-Court extracts.

4. The petitioner was examined as PW1 on 05.02.2019 and thereafter, there is no progress in the trial. Taking into



consideration the fact due to pandemic period, there is no progress in the trial. Further in this case, the NBW was issued against the accused thrice and there is no progress in the trial.

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5. In view of the above, a direction is issued to the learned trial Judge to complete the trial as expeditiously as possible, preferably within a period of 4 months from the date of receipt of a copy of this order.

6. Accordingly, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

vkr/nti

To

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

+1cc to M/s.P.Kritika Kamal, Advocate, S.R.No.26737

Cr1.O.P.No.8884 of 2022

SKM(CO)
CT 04/05/2022