



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.NO.9132 OF 2022

K.K.Siva Kumar

... Petitioner

Vs.

K.Srinivasan

... Respondent

PRAYER:

This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate No.III at Salem to dispose of the Crl.M.P.No.352 of 2021 in S.T.C No.3002 of 2019 on the file of the Judicial Magistrate No.III at Salem within the stipulated time as fixed by this Court.

For Petitioner : Mr.J.Deliban

O R D E R

This Criminal Original Petition has been filed seeking for a direction to the learned Judicial Magistrate No.III at Salem to dispose of the Crl.M.P.No.352 of 2021 in S.T.C No.3002 of 2019 on the file of the Judicial Magistrate No.III at Salem within the stipulated time as fixed by this Court.

2. Learned counsel for the petitioner would submit that the petitioner is the complainant in STC No.3002 of 2019 on the file of the learned Judicial Magistrate No.III, Salem, filed under Section 138 of N.I.Act in respect of dishonour cheque bearing No.000006 dated 26.12.2018. He would submit that after the appearance of the accused and questioning, the petitioner had filed application under Section 143 (A) in Crl.M.P.No.352 of 2021 seeking for a direction to the respondent accused to pay interim compensation on 12.02.2021. The case was posted for counter and it has been repeatedly adjourned from 18.03.2021. The respondent had not filed the counter and the learned Trial Judge has not disposed Crl.M.P.No.352 of 2021. Thereby, the present petition has been filed seeking for a direction to the learned Judicial Magistrate No.III at Salem to dispose the case at the earliest. He would further submit that the accused owes



Rs.1,20,00,000/- to the petitioner.

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

4. The petitioner had filed the complaint during the year 2019. He had also filed an application in Crl.M.P.No.352 of 2021 seeking for interim compensation. The very purpose of seeking interim compensation is to obviate the hardship suffered by the complainant due to delay in trial. The application for interim compensation has been repeatedly adjourned from 18.03.2021 and there has been no progress.

5. In view of the above, a direction is issued to the learned Judicial Magistrate III, Salem to dispose Crl.M.P.No.352 of 2021 within a period of one month from the date of receipt of a copy of this order and thereafter, dispose the STC No.3002 of 2019 within a period of four months.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

shk/sai

To

1. The learned Judicial Magistrate No.III,
Salem.
2. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.J.Deliban, Advocate, S.R.No.27635

Crl.O.P.No.9132 of 2022

SS (CO)
PM/11/05/2022