



Crl.O.P.(MD) No.12652 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12652 of 2022

Kannusamy

... Petitioner/ defacto complainant

Vs

The State Represented by
The Inspector of Police,
District Crime Branch,
Thanjavur District.

... Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District to complete and conclude the trial in C.C.No.203 of 2018 with in a stipulated time as fixed by this Court.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)



Crl.O.P.(MD) No.12652 of 2022

ORDER

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This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District, to complete the trial in C.C.No.203 of 2018 within a stipulated time as fixed by this Court.

2.The case of the prosecution is that the petitioner and his partners have jointly formed a real estate company in the name and style, “Sri Murugan Real Estate” and the petitioner gave a sum of Rs.5,00,000/- (Rupees Five Lakhs) as his share, a sum of Rs.5,00,000/- (Rupees Five Lakhs) as his brother's share namely Ponnaian and another a sum of Rs.2,00,000/- (Rupees Two Lakhs). Totally, the petitioner had given a sum of Rs.12,00,000/- (Rupees Twelve Lakhs) for business purpose, as his share. Thereafter, they purchased 10 properties and sold the same by way of house plots. In this regard, the petitioner got a profit amount of Rs.1,00,00,000/- (Rupees One Crore) but the partner of the said company did not hand over the profit amount to the petitioner. Hence, the petitioner lodged a complaint before the respondent police, in Crime No.7 of 2018 for the offence under



Crl.O.P.(MD) No.12652 of 2022

Section 420 I.P.C, as against five persons. After investigation, charge sheet was filed and the same was taken on file in C.C.No.203 of 2018, on the file of the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District.

3. The learned counsel for the petitioner submitted that the case was taken on file in the year 2018 and the same is pending for the past four years without any progress. Hence, this court may issue a direction to the concerned Court to dispose of the case as early as possible.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the case is posted for framing of charges on 04.08.2022.

5. Considering the facts and circumstances of the case, without going into the merits of the matter, this Court is inclined to give a direction to the learned Judicial Magistrate No.II, Kumbakonam, Thanjavur District, to dispose of the case in C.C.No.203 of 2018, within a period of five months from the date of receipt of a copy of this order.



Crl.O.P.(MD) No.12652 of 2022

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

14.07.2022

Internet: Yes./No
Index: Yes/no
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To

1. The Judicial Magistrate No.II,
Kumbakonam, Thanjavur District.
2. The Inspector of Police,
District Crime Branch,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.12652 of 2022

V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.12652 of 2022

14.07.2022