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CRL.O.P (MD) No.17197 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.17197 of 2022

M/s.Sri Balaji Network
represented through its Managing Partner,
Mr.P.Venkatachalapathy,
Madurai-8.

...Petitioner

Vs.

Padmavathy
Proprietrix,
HU SREERAM Agency,
Chennai-600 100.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Judicial Magistrate, Fast Track Court No.1 (Judicial Magistrate Level), Madurai and to expedite and complete the trial in S.T.C.No.4 of 2022 within stipulated time framed by this Court.

For Petitioner : Mr.U.Lakhsmanaraja



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ORDER

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This Criminal Original Petition has been filed to direct the learned Judicial Magistrate, Fast Track Court No.1 (Judicial Magistrate Level), Madurai, to expedite and complete the trial in S.T.C.No.4 of 2022 within a stipulated time framed by this Court.

2.As per dairy status uploaded on the website and print out of the same enclosed by the learned Counsel for the Petitioner, it is found that this case has been posted to 26.10.2022 for trial.

3.In view of the above, the learned Judicial Magistrate, Fast Track Court No.1 (Judicial Magistrate Level), Madurai, is directed to proceed with the trial. Since it is a case under Section 138 of Negotiable Instruments Act, there will not be too many witnesses. The Petitioner is directed to appear before the learned Judicial Magistrate. The learned Judicial Magistrate, Fast Track Court No.1 (Judicial Magistrate Level), Madurai shall ensure the presence of Counsel appearing for the accused and the accused, on the day of recording evidence. In the presence of the accused, evidence shall be recorded. Under no pretext, no adjournment shall be given. Evidence can be



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recorded within a period of fifteen days. The S.T.C.No.4 of 2022 to be disposed of within a reasonable period of one month from the date of receipt of a copy of this order. If the accused does not cooperate with the Court, the learned Judicial Magistrate can act as per the reported judgment of Honourable Supreme Court in the case of ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***, thereby, cancelling the bail and detaining the accused in the case till the disposal of the case.

4. With the above directions, this Criminal Original Petition stands disposed of.

10.11.2022

Index:Yes/No
vsd

To

The Judicial Magistrate,
Fast Track Court No.1
(Judicial Magistrate Level),
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

vsd

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