



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.19616 of 2021

WEB COPY

Siveshvarshan

... Petitioner

Vs.

Rajalingam

... Respondent

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to call for the records pertaining to C.M.P. No.1897 of 2021 and set aside the order dated 15.11.2021 in S.T.C.No.754 of 2018 on the file of the Judicial Magistrate No.II, Kulithalai, Karur District.

For Petitioner : Mr.S.Jayavel

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O R D E R

Heard the learned counsel appearing for the petitioner.

2. Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

3. The petitioner is the complainant in S.T.C.No.754 of 2018 on the file of the Judicial Magistrate No.II, Kulithalai. It is a case filed under Section 138 of the Negotiable Instruments Act.

4. The accused had filed a recall petition and the same was allowed by the Court below on 15.11.2021. Since it is a discretionary order, I do not deem fit and appropriate to interfere with the same. However, taking note of the fact that the case was filed way back in the year 2018 and since the statute contemplates that the case of this nature has to be disposed of within a period of six months, the learned trial Magistrate is directed to dispose the case of on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order. I am informed that the next hearing date is 07.01.2022.



5. With this direction to the Court below, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (T&P)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PMU

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Judicial Magistrate No.II,
Kulithalai, Karur District.

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04.01.2022

RD(5.01.2022) 2P 2C