



CrI.O.P.(MD) No.21761 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.21761 of 2022

K.Pandiyarajan,

: Petitioner

Vs

Gnana Kokila,

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to issue a direction to the learned Judicial Magistrate, Nilakottai to expedite the trial in STC.No.808 of 2022 on his file (earlier numbered as STC.No.491 of 2019 on the file of the Judicial Magistrate, Kodaikanal) as expeditiously as possible and within the time stipulated by this Court.

For Petitioner : Mr.J.Lawrence



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ORDER

WEB COPY This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate, Nilakottai, to expedite the trial in STC.No.808 of 2022.

2.It is evident from the records that the petitioner has filed a private complaint under Section 200 Cr.P.C. against the respondent for the offence under Section 138(1) and 142 of Negotiable Instruments Act, 1881.

3.The learned Counsel appearing for the petitioner would submit that the trial has already been commenced and PW.1 was examined on 23.02.2021 and thereafter, the case has been adjourned for PW.2 cross-examination and that the respondent has been dragging on the proceedings wilfully with an intention to avoid repayment of the amount due to the petitioner. He would further submit that the case in S.T.C.No.491 of 2019, pending before the Judicial Magistrate Court, Kodaikanal, was subsequently transferred to the file of the Judicial Magistrate Court, Nilakottai and numbered as S.T.C.No. 808 of 2022.



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4.Considering the above facts and circumstances of the case and also the fact that the case is pending for the past three years, this Court directs the Judicial Magistrate Court, Nilakottai, to complete the trial in S.T.C.No.808 of 2022 and dispose of the same as expeditiously as possible, preferably, within a period of three months, from the date of receipt of a copy of this order.

5.With the above direction, this criminal original petition is disposed of.

09.12.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
lr

To
1.The Judicial Magistrate Court, Nilakottai.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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