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Crl.O.P.No.30016 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.30016 of 2019
and Crl.M.P.Nos.16206 & 16208 of 2019

M.M.Ramesh Babu

...Petitioner

Vs.

E.K.Prakash

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to call for the records connected with C.C.No.142 of 2019 on the file of the learned Magistrate Court (Fast Track Court), Ambattur and to quash the complaint.

For Petitioner : Mr.A.Chidambaram

ORDER

This petition has been filed to quash the proceedings in C.C.No.142 of 2019 on the file of the learned Magistrate Court (Fast Track Court), Ambattur, thereby taken cognizance for the offences under Section 138 of the Negotiable Instruments Act, as against the petitioner.



Crl.O.P.No.30016 of 2019

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2. It is seen from the records revealed that, this petition was listed for admission on 08.11.2019. On that day, at the request of the learned counsel appearing for the petitioner, the matter was adjourned to 15.11.2019. Thereafter, it was not listed for so many years. Only on 09.03.2023, once again the matter was listed and there was no representation for the petitioner. Hence, this Court posted the matter under the caption “for dismissal”. Once again on 13.03.2023, at the request of the learned counsel appearing for the petitioner, it was adjourned to 23.03.2023. Thereafter, this case was repeatedly adjourned more than 15 hearing.

3. Even today, when the matter was taken up for hearing, the learned counsel appearing for the petitioner seeks adjournment. This petition is pending for the past four years, without even ordering any notice or without even admitting. Thus it is clear that the purpose for seeking adjournment is only to drag the proceeding before the trial Court. Because of the pendency of this petition, entire trial stalled before the trial Court. Therefore, this Court is not inclined to entertain this petition further, since it is pending for the past four years without even ordering



Crl.O.P.No.30016 of 2019

any notice or without even admitting.

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4. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

01.11.2023

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

rts

To

1. The Magistrate Court
(Fast Track Court),
Ambattur



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Crl.O.P.No.30016 of 2019

G.K.ILANTHIRAIYAN. J.

rts

Crl.O.P.No.30016 of 2019
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