



Crl.O.P.(MD)No.2602 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2602 of 2023

R.Edwin Joswa

... Petitioner

Vs.

S.Kannan

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.II, FTC at Magistrate Level Madurai (FAC), Madurai to expedite the trial in S.T.C.No.113 of 2021, within a time frame to be fixed by this Court.

For Petitioner : Mr.A.S.Shangeetha,

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders, to direct the learned Judicial Magistrate No.II, FTC at Magistrate Level Madurai (FAC), Madurai to expedite the trial in S.T.C.No.113 of 2021, within a time frame to be fixed by this Court.



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2. Since the petition is filed for early disposal of the case, issuance of notice to the respondent is not necessary.

3. Heard the learned counsel appearing for the petitioner.

4. It is evident from the records that the petitioner has filed a private complaint against the respondent for the offences under Sections 138 r/w 142 of Negotiable Instruments Act and on that basis, the case was registered in S.T.C.No.113 of 2021 on the file of the learned Judicial Magistrate No.II, FTC at Magistrate Level Madurai (FAC), Madurai.

5. The learned counsel appearing for the petitioner would submit that the respondent is dragging on the case without any valid reason and that the petitioner is regularly appearing before the concerned Court.

6. Admittedly, the above case is pending from 2021 onwards. Section 143(3) of the Negotiable Instruments Act contemplates that every trial under the said Section shall be concluded as expeditiously as possible and an endeavour shall be made to conclude the trial within six months from the date of filing of the complaint. Since the above case is



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pending for the past two years and also taking note of the submissions made by the learned counsel on record for speedy disposal of the above case, this Court is inclined to issue necessary directions for early disposal of the above case.

6. In view of the above, the learned Judicial Magistrate No.II, FTC at Magistrate Level Madurai (FAC), Madurai, is directed to complete the trial and dispose of the case in S.T.C.No.113 of 2021, as expeditiously as possible, preferably within a period of five months from the date of receipt of copy of this order.

7. With the above direction, this Criminal Original Petition stands disposed of.

09.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

das

To

The Judicial Magistrate No.II,
FTC at Magistrate Level Madurai (FAC),
Madurai.

Order made in
Crl.O.P.(MD)No.2602 of 2023

Dated: 09.02.2023