



*Crl.O.P.(MD)Nos.3028, 3029, 3031, 3034,
3037 & 3039 of 2023*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

**Crl.O.P.(MD)Nos.3028, 3029, 3031,
3034, 3037 and 3039 of 2023**

Sivasakthi Marketing Private Ltd.,
by its Managing Director
S.K.Siddhu Raj
represented by his power agent/Manager
M.Ramachandran

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3028 of 2023

Sivasakthi Chemicals,
by its Partner
S.K.Siddhu Raj
represented by his power agent/Manager
M.Ramachandran

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3029 of 2023

Amman Text Chem,
represented by its Partner
G.Chezian

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3031 of 2023



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Venkey's Colour-Chem,
represented by its Partner
R.Ravi

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3034 of 2023

Sri Vishnu Colours,
represented by its Partner
G.Kannan

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3037 of 2023

S.Meena Bharathi
Proprietary : Meena Colours,
represented by power agent/Sales Executives
A.Ambalavanan

... Petitioner/Respondent/
Complainant in Crl.O.P
(MD)No.3039 of 2023

Vs.

1.Shri Renuga Textiles Ltd.,
represented by its Managing Director/
Authorized Signatory R.N.Jagadeesan

2.R.N.Jagadeesan

...Respondents/Appellants/
Accused 1 and 2
(in all the petitions)

COMMON PRAYER : Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the Additional District and Sessions Court, Periyakulam to expedite speedy trial and to dispose of the cases in C.A.Nos.38 of 2015, 39 of 2015, 40 of 2015, 46 of 2015,



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47 of 2015 and 48 of 2015 within the time stipulated by this Court may deem fit and proper in the facts and circumstances of the case.

(in all the petitions)

For Petitioner : M/s.Benazir Begum

COMMON ORDER

These Criminal Original Petition have been filed, invoking Section 482 Cr.P.C., seeking orders to direct the Additional District and Sessions Court, Periyakulam to expedite the trial and to dispose of the cases in C.A.Nos.38 of 2015, 39 of 2015, 40 of 2015, 46 of 2015, 47 of 2015 and 48 of 2015 within the time stipulated by this Court may deem fit and proper in the facts and circumstances of the case.

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

3. The petitioner/complainant has filed 6 complaints under Section 200 Cr.P.C. against the respondents for the offences under Sections 138 r/w 142 of Negotiable Instruments Act and the cases were taken on file in



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S.T.C.Nos.51 of 2015, 53 of 2015, 59 of 2015, 54 of 2015, 52 of 2015 and 50 of 2015 on the file of the learned Judicial Magistrate, Fast Track Court (M.L), Theni and the learned Judicial Magistrate, after conducting trial in all the cases, has passed separate judgment in three cases dated 26.11.2015 and three other cases dated 30.11.2015 convicting the accused for the offence under Section 138 of Negotiable Instruments Act and sentenced to undergo imprisonment as well as to pay a fine. Challenging the judgment and conviction, the accused have preferred 6 appeals in C.A.Nos.38 of 2015, 39 of 2015, 40 of 2015, 46 of 2015, 47 of 2015 and 48 of 2015 and the same are pending on the file of the Additional District and Sessions Court, Periyakulam.

4. As rightly contended by the learned counsel appearing for the petitioner, 6 appeals are pending for the past more than 7 years.

5. Admittedly, the above appeals are pending from 2015 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



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months from the date of filing of the complaint. Since the above cases are pending for the past more than seven years and also taking note of the submissions made by the learned counsel on record for speedy disposal of the above cases, this Court is inclined to issue necessary directions for early disposal of the above cases. Accordingly, the learned Additional District and Sessions Court, Periyakulam is directed to dispose of the appeals in C.A.Nos.38 of 2015, 39 of 2015, 40 of 2015, 46 of 2015, 47 of 2015 and 48 of 2015 within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, these Criminal Original Petitions stand disposed of.

16.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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K.MURALI SHANKAR,J.

csn

To

1.The Additional District and Sessions Court,
Periyakulam.

Order made in
**Crl.O.P.(MD)Nos.3028, 3029, 3031,
3034, 3037 and 3039 of 2023**

Dated: 16.02.2023