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Crl.O.P.No.14999 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.08.2024

Coram:

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.14999 of 2024

U.Karpagavalli.

... Petitioner/Complainant

/versus/

S.Premalatha.

... Respondent/Accused

Prayer: Criminal Original Petition has been filed under Section 482 of the Criminal Procedure Code, to direct the Learned Judicial Magistrate, Fast Track Court, Ambattur Court to speedily dispose the S.T.C.No.226 of 2016 in Crl.M.P.No.806 of 2023 pending on the file of Judicial Magistrate, Fast Track Court, Ambattur Court within the prescribed time frame as mandated under the Act and Law.

For Petitioner : Mr.Jesus Moris Ravi

For Respondent : No appearance

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ORDER

The Criminal Original Petition is filed to dispose the Crl.M.P.No.806 of 2023 pending on the file of Judicial Magistrate, Fast Track Court, Ambattur.

2. The respondent herein was convicted on 14.02.2022 in S.T.C.No.226 of 2016 for the offence under Section 138 of N.I Act. Since the accused is absconding, Crl.M.P.No.806 of 2023 filed under Section 82 of Cr.P.C., for issuance of proclamation, but till date, no order has been passed.

3. This Court, on 27.06.2024 directed to call for the report from the Learned Judicial Magistrate, Fast Track Court, Ambattur, regarding the status of Crl.M.P.No.806 of 2023 in S.T.C.No.226 of 2016. The report of the concern Judicial Magistrate indicates that the Inspector of Police who is the Investigating Officer in this case has not appeared on receipt of repeated summons and the matter is posted on 08.08.2024 for service of process through the Superintendent of Police, Coimbatore.



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4. This Court finds that it is a clear non-cooperation by the Police which has led to inordinate delay in disposing the Crl.M.P.No.806 of 2023.

5. Accordingly, this Criminal Original Petition is disposed of with direction to the Judicial Magistrate, Fast Track Court (FAC), Ambattur to take coercive steps if the Inspector of the jurisdiction fail to respond to the witness summon and also proceed further against the convict in accordance with law.

07.08.2024

Index :Yes/No.
Internet :Yes/No.
Speaking Order/Non-Speaking Order
bsm

Copy to:-

1. The Judicial Magistrate, Fast Track Court, Ambattur.

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Dr.G.JAYACHANDRAN, J.

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