



CrI.O.P.No.28036 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.28036 of 2024

Dr.A.Pandian,
S/o.Annamalai,
No.1, Eraikutty Street,
New Perungalathur,
Chennai-600 063.
Represented by his Authorized Person
Mr.Kalathur Vadyar Bharadwaj,
S/o.K.V.Nagesh,
F1, Dhanalakshmi Aishwaryam Block,
Sai Brindavan Apartments,
New NGO Colony,
5th Cross Street,
Adambakkam, Chennai – 600088.

... Petitioner

Vs.

Ajay Kumar Gulecha,
Lifestyle Housing
Having its Office at
No.61/2, 1st Floor, Ormes Road,
Kilpauk, Chennai-600 010.

... Respondent



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WEB COURT

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the learned Judicial Magistrate No.1, Tambaram to expeditiously dispose of the case arising out of complaint filed by the petitioner under Section 138 of the Negotiable Instruments Act in C.C.No.119/2023 pending before the Judicial Magistrate No.I, Tambaram.

For Petitioner : Mr.C.D.Vivekanandan

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.1, Tambaram to expeditiously dispose of the complaint filed by the petitioner for offence under Section 138 of the Negotiable Instruments Act, 1881 in C.C.No.119 of 2023.

2.According to the learned counsel for the petitioner, the accused had not appeared before the Trial Court on summon; that the learned Magistrate had issued the bailable warrant; and that the bailable warrant is yet to be executed.



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3.Since the accused had not appeared before the Trial Court, it will not be proper for this Court to direct the learned Magistrate to expedite the trial.

4.It is open to the petitioner to take steps for execution of the bailable warrant issued against the respondent; and thereafter renew this application after appearance of the accused.

5.In view of the above, this Criminal Original Petition is dismissed.

08.11.2024

Index:Yes/No

Neutral Citation: Yes/No

Speaking Order/Non Speaking Order

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To

The Judicial Magistrate No.I,
Tambaram.



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SUNDER MOHAN, J.

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