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Crl.O.P.No.2419 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2419 of 2024

1.S.Uma

(cause title accepted as per order of this
Court dated 01.12.2023 in Crl.M.P.No.
2097 of 2023 in Crl.O.P.SR.No.63534
of 2022)

2.P.S.C. Bose, Senior Regional Manager,
Indian Overseas Bank, Regional Office,
Salem – 636 004.

.. Petitioners

Vs.

1.K.Jaganathan, Clerk,
Indian Overseas Bank, Sooramangalam Branch,
Salem.

2.Pushpammal

3.Sathasivam, (died)

4.P.Shanmugam

5.Sumathi

6.P.Ashok Kumar,
Senior Manager, Indian Overseas Bank,
Suramangalam Branch, Salem – 5.
Residing at No.5/138, State Bank Officers' Colony,
Salem.



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7.The State Rep. by
The Inspector of Police,
City Crime Branch, Salem City.

.. Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to fix an early date of hearing for further proceedings in C.C.No.822 of 2004 on the file of the Learned Judicial Magistrate No.II at Salem to dispose this case.

For petitioners : Mr.R.Ramalingam
For R7 : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The Criminal Original Petition has been filed for a direction to the Court below to complete the proceedings in C.C.No.822 of 2004 within the time frame fixed by this Court.

2.When the matter came up for hearing on 12.02.2024, this Court passed the following order:-

“It is seen that the calendar case is of the year 2004. There has been absolutely no progress and the case is now at the stage of issuing fresh



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summons to LW1 to LW4. The learned Judicial Magistrate-II, Salem is directed to file a report in this case.

Post this case under the same caption on 26.02.2024. The Registry is directed to follow up and get the report from the learned Judicial Magistrate-II, Salem before the next date of hearing.”

3.Pursuant to the above order, a report was received from the learned Judicial Magistrate-II, Salem and this Court passed the following order on 26.02.2024:-

“The report of the Judicial Magistrate No.2, Salem has been received. On going through the same, it is seen that many of the important documents were not able to be traced and that the Court below is involved in reconciliation of the case records for the purpose of tracing out the material documents and thereafter to commence the trial.

2.The case is posted before the Court below on 29.02.2024 for appearance of all the accused persons, the counsel on either side as well as the Station House Officer of the Central Crime Branch, Salem with their respective case bundles.

3.This Court wants to await the further course of action that is going to be taken by the learned Judicial Magistrate No.2, Salem.

3.Post on 11.03.2024 under the caption 'for passing further orders'.



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4. When the matter was taken up for hearing today, the learned

Government Advocate on instructions submitted that the entire case records have been reconstructed and the Court below has fixed the date on 14.03.2024 for the commencement of the trial.

5. In the light of the above development, there shall be a direction to the learned Judicial Magistrate No.II, Salem, to complete the proceedings within three (3) months from the date of receipt of a copy of this order.

6. This Criminal Original Petition is disposed of with the above directions.

11.03.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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To

- 1.The Judicial Magistrate No.II,
Salem.
- 2.The State Rep. by
The Inspector of Police,
City Crime Branch, Salem City.
- 3.The Public Prosecutor,
Madras High Court, Chennai.



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N.ANAND VENKATESH, J.

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