



CRL OP(MD). No.3570 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.3570 of 2024

Ganesan

... Petitioner

Vs

Sivabalasubramanian

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Additional District Sessions Court, Tenkasi, to expedite the appeal in Crl.A.No.23 of 2023, within the time limit that may be stipulated by this Court.

For Petitioners : Mr.Thalaimutharasu.G



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ORDER

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This Criminal Original Petition is filed, seeking a direction to the Additional District Sessions Court, Tenkasi, to expedite the appeal in Crl.A.No.23 of 2023.

2.The learned Counsel for the petitioner submits that the respondent had borrowed a sum of Rs.3,80,000/- from the petitioner in the year 2015 and the respondent issued a cheque drawn at City Union Bank, Rajapalayam, bearing No.000059 dated 18.01.2016 for a sum of Rs.3,80,000/-. When the petitioner presented the cheque on 15.02.2016, the same was returned as Funds Insufficient. Demanding the cheque amount, legal notice was issued to the respondent and he received the same. Despite the legal notice, the respondent neither come forward to pay the cheque nor caused any reply. Hence, the petitioner filed a complaint under Section 138 of Negotiable Instruments Act, and the same was taken on file in C.C.No.117 of 2016 before the learned Additional District Munsif cum Judicial Magistrate, Sivagiri and the same was allowed, by order, dated 30.01.2022. Aggrieved over the same, the respondent has preferred an appeal in Crl.A.No.23 of 2023,



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pending on the file of the Additional District Court, Tirunelveli. He further submits that the accused is not proceeding with the appeal and therefore, the appeal is still pending.

3.This Court considered the submissions made by the learned Counsel for the petitioner.

4.Considering the relief sought for in this petition, the notice to the respondent is dispensed. The appellate Court shall endeavor to conclude the proceedings in Crl.A.No.23 of 2023, as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order.

5.Accordingly, this Criminal Original Petition is disposed of.

22.07.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
jbr

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B.PUGALENDHI,J

jbr

To
The Additional District Sessions Court,
Tenkasi.

Order made in
Crl.O.P.(MD)No.3570 of 2024

22.07.2024