



CrI.O.P.(MD)No.9197 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.9197 of 2024

Amutha,

... Petitioner

Vs

Deepa,
W/o. Hariharan @ Muthukrishnan,
Proprietor-S.K.R.Hotel,
East Street,
Suchindrum and Post,
Kanyakumari District.

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to issue a direction to the Learned Judicial Magistrate, Fast Track Court, Nagercoil to expedite the trial and dispose the case in STC.No.101 of 2023 on merits within one month from the date of order of this Court.

For Petitioner : Ms.D.Rajagopal

ORDER

The petitioner, who is a complainant in STC.No.101 of 2023 on the file of the Judicial Magistrate, Fast Track Court, Nagercoil has



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filed this petition seeking a direction to the learned Magistrate to expedite the trial in the above case and dispose of the same within a stipulated time.

2.The learned counsel for the petitioner submits that the petitioner has already approached this Court in Crl.OP(MD) No.696 of 2024 and this Court, by order dated 18.01.2024 directed the concerned Magistrate to dispose of STC.No.101 of 2023 as expeditiously as possible. He further submits that a bailable warrant has been issued by the trial Court as against the respondent herein on 24.04.2024 and the case is posted to 24.07.2024.

3.This Court considered the submissions made by the learned counsel for the petitioner and the materials placed before this Court.

4.The petitioner, who is a complainant in STC.No.101 of 2023 has lodged a private complaint under Sections 138 and 142 of Negotiable Instruments Act and summon has also been issued by the concerned Court. The accused has entered appearance and thereafter, she



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evaded the proceedings from 24.04.2024 onwards, for which, aailable warrant has been issued by the trial Court. More over, the petitioner has already approached this Court for the same relief in the month of January 2024 and this Court has also granted the relief on 18.01.2024 by directing the concerned Magistrate to expedite the trial in STC No.101 of 2023 as expeditiously as possible. The petitioner is having other remedies under the provisions of Criminal Procedure Code, for taking proper steps to execute the warrant.

5.Since the petitioner has approached this Court for the same relief repeatedly, this Court is not inclined to entertain this petition, but inclined to dismiss this petition with cost. Accordingly, this Criminal Original petition is dismissed with a direction to the petitioner to pay a sum of Rs.2,000/- to the concerned Magistrate Court within a period of two weeks from the date of receipt of a copy of this order and the learned Magistrate shall utilise the amount for the welfare activities of the concerned Court.

26.06.2024

NCC : Yes/No

Index : Yes/No



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Internet: Yes
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To

- 1.The Judicial Magistrate Court, Fast Track Court, Nagercoil
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
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