



Crl.O.P.(MD)No.19474 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.03.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.19474 of 2023

V.J.Manikandan

...Petitioner

Vs.

M.G.Nagarajan

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the Court of the learned Judicial Magistrate, Paramakudi to accept the Court fee Rs.3,375/- and number the petition, that the Petitioner which was filed under Section 138 r/w 142 of Negotiable Instrument Act and under Section 200 of Criminal Procedure Code on 10.08.2023 before the Judicial Magistrate, Paramakudi at open Court, without delay petitioner and new Court fee and grant further as this Court deems fit and proper in the circumstances of the case.

For Petitioner : M/S.Sakundala Devi

For Respondent : No appearance



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ORDER

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The learned Counsel for the Petitioner submitted that the Petitioner had filed this petition seeking a direction against the learned Judicial Magistrate, Paramakudi, that even after filing of the private complaint under Section 138 of Negotiable Instrument Act, the case had been numbered and summon had not been issued to the accused.

2.At the earlier hearing, on 29.11.2023, this Court had sought remarks from the learned Judicial Magistrate, Paramakudi. As per the remarks offered by the learned Judicial Magistrate, Paramakudi, in Letter in D.No.01 of 2024, dated 02.01.2024, the Court fee paid through e-chellan is to be considered by the Scrutinizing Officer and it should be entered into in the Case Information System.

3.The learned Counsel for the Petitioner submitted that case numbered had assigned as S.T.C.No.2040 of 2023, but date had not been mentioned.

4.As per the remarks offered by the learned Judicial Magistrate, Paramakudi in Letter in D.No.360 of 2024 dated 04.03.2024, the number had been assigned as S.T.C.2040 of 2023 which is an e-filing number



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assigned by the System itself. Apart from that the Petitioner had not filed e-stamp along with e-filing of the said case and also had not filed petition for condoning the delay in e-filing of the said case. Since the number assigned as S.T.C.No.2040 of 2023 is an e-filing number, this Court is unable to issue summon and proceed further.

5.The learned Counsel for the Complainant has not taken steps to comply e-filing procedure, even though, the learned Judicial Magistrate had informed the Counsel on record.

6.In the light of the remarks offered by the learned Judicial Magistrate, Paramakudi, the Petitioner is directed to co-operate with the Court regarding e-filing System without which a direction cannot be issued under Section 482 of Cr.P.C.

7.With the above said direction, this Criminal Original Petition is closed.

08.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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SATHI KUMAR SUKUMARA KURUP, J.,

jbr

To

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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