



Crl.OP.No.32487 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.32487 of 2025

J.Prabhu

...Petitioner

Vs.

Surekha

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023 to issue a direction to dispose the CC.No.1191 of 2020 on the file of the learned V Fast Track Metropolitan Magistrate Court, Saidapet, Chennai, as expeditiously as possible.

For Petitioner : Mr.N.Stalin

ORDER

This criminal original petition has been filed seeking a direction for expeditious disposal of CC.No.1191 of 2020 pending on the file of the V Fast Track Metropolitan Magistrate Court, Saidapet, Chennai.



2. The brief facts of the case are as follows:-

The petitioner/complainant initiated proceedings under Sections 138 and 142 of the Negotiable Instruments Act, 1881, (in short 'NI Act') against the respondent/accused in CC.No.1191 of 2020 before the V Fast Track Metropolitan Magistrate Court, Saidapet, Chennai and the petitioner had examined himself as P.W.1 and marked Exs.P1 to P6. Thereafter, as the respondent/accused absconded, Non Bailable Warrant was issued and thereafter, the respondent/accused appeared before the trial Court on 10.10.2025 and subsequently, the warrant was recalled. However, despite the appearance of both the parties, the matter has been simply adjourned by the trial court and till date, the respondent/accused has not cross-examined the petitioner. Hence, the petitioner has come up with this petition seeking speedy disposal of CC.No.1191 of 2020 pending on the file of the V Fast Track Metropolitan Magistrate Court, Saidapet, Chennai.

3. Learned counsel for the petitioner submitted that Section 143(3) of the Negotiable Instruments Act, 1881, mandates that the trials for cheque dishonour cases must be conducted as expeditiously as possible and the



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same must be concluded within six (6) months from the date of filing of the complaint. However, in the present case, the complaint was made in the year 2020 and for the past five years, there is no progress and the matter has been kept pending unnecessarily. Accordingly, he prayed for appropriate orders of this Court directing the trial court to dispose the case in CC.No.1191 of 2020 as expeditiously as possible, preferably within a period of six months.

4. As rightly pointed out by the learned counsel for the petitioner, the abovesaid provision (Section 143(3) of the NI Act) aims to ensure speedy justice by requiring courts to make a sincere effort to conclude the trial of cheque default cases within six months time frame. Further, trial court can only grant adjournments with sufficient reason and for a limited time. Admittedly, the case in hand is of the year 2020 and the same is kept pending for the past about six years and till date, the respondent/accused has not cross-examined the petitioner/complainant.



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5. In view of the above, this Court directs the learned V Metropolitan Magistrate, Fast Track Court, Saidapet, Chennai, to dispose of the case in CC.No.1191 of 2020, as expeditiously as possible, as per the mandate prescribed under Section 143(3) of the NI Act, without causing further delay and after hearing the parties.

6. With the above direction, this criminal original petition stands disposed of.

28.11.2025

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

The V Fast Track Metropolitan Magistrate Court,
Saidapet, Chennai.



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A.D.JAGADISH CHANDIRA, J.

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