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Crl.O.P.(MD)No.402 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2025

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.402 of 2025

M.Ramadass

... Petitioner

Vs

S.Hemalatha

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the learned Judicial Magistrate No.V, Tiruchirappalli to dispose the case in STC No. 4899 of 2019 within a stipulated time.

For Petitioner : Mr.L.Jeen Felix

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.V, Tiruchirappalli to dispose the case in STC No. 4899 of 2019 within a stipulated time.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.



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3.It is case of the petitioner that based on the private complaint lodged by the petitioner, a case has been registered against the respondent is pending in STC No.4899 of 2019. The case is kept pending for service of summon. Due to covid-19, the case was adjourned without any progress. Thereafter, NBW was issued against the respondent for her non-appearance and the same was recalled. The respondent was questioned on 23.12.2022 and the petitioner was examined as PW1. The evidence was closed on 04.08.2023 and the respondent was questioned under Section 313(1)(b) of Cr.P.C. However, the case was adjourned further on the ground that the respondent has filed a petition under 311 of Cr.P.C. The petitioner is aged about 74 years and hence, prays for speedy trial.

4.Considering the submission made by the petitioner, it is seen that even after lapse of 6 years, the trial is not yet completed. Now the case is posted for recall of PW1. The case was registered for the offence under Section 138 NI Act, therefore, the trial has to be completed by the trial Court within the stipulated time.



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5.In view of the above, the trial Court is directed to complete the trial process and dispose of the case in STC No.4899 of 2019 within a period of four months from the date of receipt of copy of this order.

6.With the above directions, this Criminal Original Petition stands disposed of.

09.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
PNM

To

The Judicial Magistrate No.V, Trichy



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M.NIRMAL KUMAR, J.

PNM

ORDER IN
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