



Crl.O.P.(MD)No.5729 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2025

CORAM :

THE HON'BLE MR.JUSTICE P. DHANABAL

Crl.O.P.(MD) No.5729 of 2025

K.S.J. Kumar

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Inspector of Police,
South Police Station,
Tuticorin District.

...Respondent

Prayer : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to issue a direction directing the Fast Track Judicial Magistrate Court, Thoothukudi to dispose the case in C.C. No.423 of 2013 as expeditious as possible preferably within the time stipulated by this Court.

For Petitioner : Mr. H.Mahamed Hussain

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor (Crl. Side)

ORDER

This petition has been filed by the petitioner to direct the Fast Track Judicial Magistrate Court, Thoothukudi to dispose the case in C.C.No.423 of 2013 as expeditious as possible, within a time fixed by this Court.



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2. According to the petitioner, he is the complainant in the cheque case and the accused in the cheque case is evading from the trial proceedings and not even appeared before the Trial Court and thereby, Non Bailable Warrant is also pending against the accused from 17.12.2023, but the respondent has not executed the warrant so far. The case is pending for more than 12 years and therefore, he has filed this petition.

3. The learned Additional Public Prosecutor (Criminal Side) appearing for the respondent would submit that the Trial Court issued Non Bailable Warrant against the accused in this case and they are also searching the accused, but unable to trace out and the accused is not residing in the address mentioned in the complaint and they are also taking steps to execute the Non Bailable Warrant.

4. Since the prayer of the petitioner is to direct the learned Judicial Magistrate, to complete the trial and the Non Bailable Warrant is also pending against the accused, this Court directs the respondent to execute the Non Bailable Warrant without any delay and thereafter, the Trial Court is directed to expedite the trial proceedings and the complete the trial as early as possible without giving long adjournment beyond fifteen days.



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5. With the above said direction, this criminal original petition is disposed of.

27.03.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

Mac

To

1. The Judicial Magistrate, Thoothukudi

2. The Inspector of Police,
South Police Station,
Tuticorin District.

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



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P. DHANABAL, J.

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