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CRL OP No. 6572 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6572 of 2026

1. G. Madhan Kumar
S/o Govinthasami, No.18/5 Othavadai
Chetti Street, Vandavasi,
Thiruvannamalai.

Petitioner(s)

Vs

1. Kumaresan
S/o Varadhan, No.43, Mettu Street,
Thensendhamangalam, Vandavasi,
Thiruvannamalai.

Respondent(s)

PRAYER

To Direction for speedy disposal of the case in CC.No.8 of 2023 on the file of learned Judicial Magistrate, vandavasi, Thiruvannamalai District within the time limit fixed by this Honourable Court.

For Petitioner(s): T.Sreelekha

ORDER

The petitioner as complainant has filed a case against the respondent for the offences punishable under Section 138 of Negotiable Instruments Act, which is pending trial in CC.No.8 of 2023 before the Judicial Magistrate Court, Vandavasi.



2.The contention of the petitioner is that the Judicial Magistrate Court, Vandavasi, is not taking effective steps to conclude the trial within the stipulated period. The respondent is not appearing before the trial Court. Therefore, the learned Judicial Magistrate issued non-bailable warrant against the respondent / accused and directed the Inspector of Police, North Police Station, Vandavasi, Thiruvannamalai District to execute the non-bailable warrant. Further, the petitioner also requested the police to execute the bailable warrant and the same was not considered. Under such circumstances, the petitioner filed CrI.O.P.No.30478 of 2024 before this Court seeking direction to execute the warrant. When this petition was pending, on 09.12.2024, the respondent / accused surrendered before the Trial Court and filed petition to recall the warrant, which was allowed. Thereafter, the respondent / accused was not present for questioning and the case was posted for questioning on 18.11.2025. On that day also, the respondent / accused was not present and the Trial Court issued non-bailable warrant.

3.In such circumstances, after coming to know of this petition being filed by the petitioner, the respondent / accused appeared before the Trial Court on 16.03.2026 and the Trial Court re-called the non-bailable warrant. The Trial Court has to ensure the respondent's presence and to conclude the trial without any delay. It is also submitted that complainant's side evidence has been closed.



It is at the stage of Section 313 of Cr.PC questioning can be done.

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4.Considering the facts and circumstances of the case, the learned Judicial Magistrate, Judicial Magistrate Court, Vandavasi, is directed to complete the trial within a period of three (3) months, which is the outer limit. In the event of respondent attempting any dilatory tactics, coercive action to be taken against him.

5.In the result, this Criminal Original Petition is disposed of. No costs.

25-03-2026

krk

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1.Kumaresan

S/o Varadhan, No.43, Mettu Street,

Thensendhamangalam, Vandavasi, Thiruvannamalai.

2.The learned Judicial Magistrate, Judicial Magistrate Court, Vandavasi.

3.The Inspector of Police, North Police Station, Vandavasi, Thiruvannamalai District.

4.The Public Prosecutor,
High Court of Madras, Chennai.



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M.NIRMAL KUMAR J.

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