



WEB COPY

CRL OP No. 8885 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 8885 of 2026

M.G.Janakiraman
Proprietor of M/s.J.J.Enterprises,
No.44, Pillaiyar Kovil Street,
A Block, Vittilapuram Village,
Kalpakkam,
Kanchipuram District.
Tamil Nadu - 603 102.

..Petitioner(s)

Vs

Somasundaram
District Revenue Officer (Retired),
No.25/6, 3rd Cross Street,
Lakshmipuram,
Tambaram West,
Chennai - 600 045.

..Respondent(s)

To direct the learned District Munsif cum Judicial Magistrate Court, Thirukazhukundram to dispose of the pending Criminal Proceedings vide CC.No.87 of 2023 by fixing a time.

For Petitioner(s): M/S.P.Shanthini

ORDER

This Criminal Original Petition has been filed seeking a direction to the learned District Munsif-cum-Judicial Magistrate, Thirukazhukundram, to dispose of the Criminal Proceedings in CC.No.87 of 2023 within a time frame fixed by this Court.



2. The case of the petitioner is that he has filed a private complaint against the respondent for an offence under Section 138 of the Negotiable Instruments Act, which has been taken on file in C.C.No.87 of 2023. Pursuant to issuance of summons, the respondent appeared before the Trial Court and initial questioning was completed on 31.08.2023. Thereafter, the case has been periodically adjourned for recording evidence between 04.10.2023 and 07.04.2025. Subsequently, on account of the respondent expressing willingness to settle the dispute, the case was referred to Lok Adalat from 14.05.2025 to 28.08.2025. However, no settlement could be reached. Again the matter was posted before the Trial Court and adjourned between 13.09.2025 and 14.11.2025 for the appearance of the respondent. Again, on 19.12.2025, the case was referred to mediation at the instance of the respondent, but the mediation also failed due to non appearance of the respondent. Now, the case is posted on 18.04.2026 for cross-examination of the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner had completed his chief examination as early as 14.05.2025 and thereafter, the case has been adjourned from time to time. In support of his contention, the petitioner has produced the adjudication of the Trial Court as well as the compromise letter given by the respondent. He further submitted that since the respondent being a retired RDO, is influencing the course of the proceedings and deliberately protracting the proceedings.



4. Considering the above submissions and upon perusal of the materials, this Court is of the view that the proceedings have been unduly protracted.

Though the complaint was filed in the year 2023 and the evidence of the complainant was closed in 2025, the matter has been kept pending under the guise of mediation and settlement, which is not justified.

5. In view of the above, this Court directs the Trial Court to proceed with the trial without any further delay and ensure that on 18.04.2026, cross-examination of the complainant to be completed and thereafter proceed with the case on a day-to-day basis. In any event, the Trial Court shall conclude the trial within a period of three months from 18.04.2026.

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

09-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
PVS

To

1. The District Munsif cum Judicial Magistrate Court,
Thirukazhukundram
2. The Public Prosecutor,
High Court, Madras.



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M.NIRMAL KUMAR, J.

PVS

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