

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.10934 of 2015

and M.P.Nos.1 and 2 of 2015

B.Ravikumar

.. Petitioner(Accused No.2)

Vs

S.P.Srinivasan

.. Respondent(Complainant)

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to withdraw STC No.54 of 2015 on the file of the Fast Track Judicial Magistrate of Tiruchengode, Namakkal District and transfer the same to the file of the learned Fast Track Judicial Magistrate No.1, Erode and direct to order to conduct the same along with STC No.203 of 2015, which is already pending on the file of the Fast Track Judicial Magistrate No.1, Erode.

For Petitioner : Mr.G.Pavendhan

ORDER

The petitioner seeks to transfer the prosecution in STC No.54 of 2015 on the file of the Fast Track Judicial Magistrate of Tiruchengode, Namakkal District to the file of the Fast Track Judicial Magistrate No.1, Erode, to be tried along with STC No.203 of 2015.

2. On a reading of the complaint in STC No.203 of 2015, it relates to a cheque issued by the accused drawn on Indian Overseas Bank, Erode, Periyasemur Branch and that is why the prosecution has been filed before the learned Fast Track Judicial Magistrate No.1, Erode.

3. On a perusal of the complaint in STC No.54 of 2015 pending on the file of the Fast Track Judicial Magistrate, Tiruchengode, it is seen that the impugned cheque has been issued by the accused from his bank account in Indian Overseas Bank, Tiruchengode Branch. Therefore, in view of the recent judgment of the Supreme Court in Dashrath Rupsingh Rathod vs. State of

Maharashtra and another [(2014) 9 SCC 129], this complaint cannot be transferred, because the cheques have been issued from two different branches, namely Erode and Tiruchengode. Under such circumstances, this petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar

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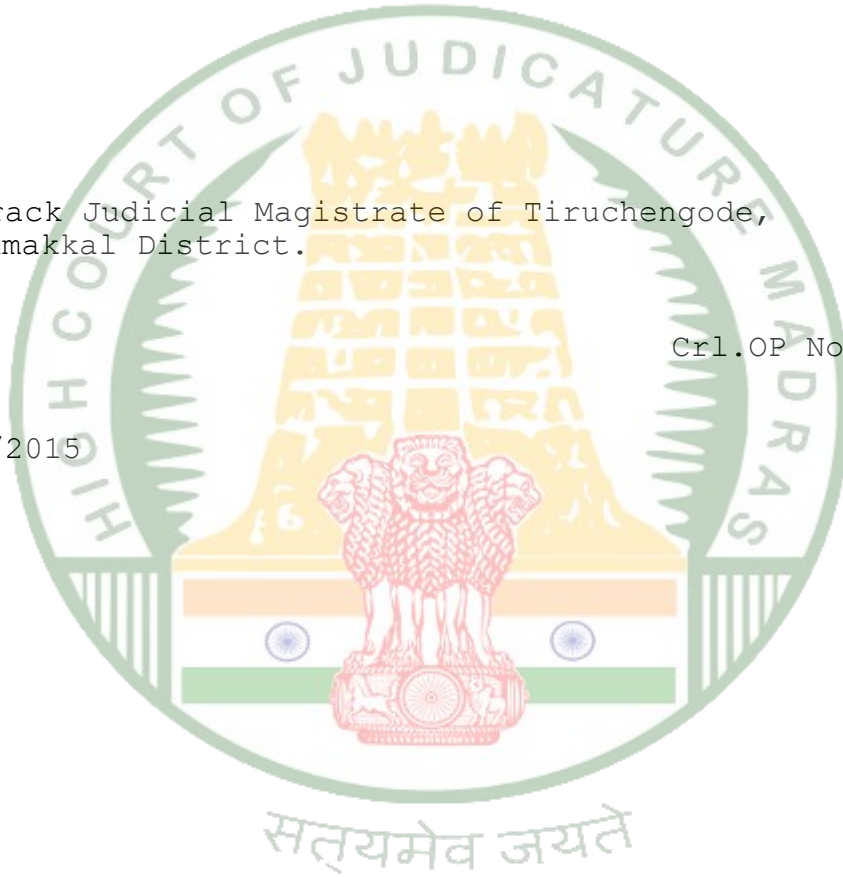
Sub Asst. Registrar

To

1. Fast Track Judicial Magistrate of Tiruchengode,
Namakkal District.

Cr1.OP No.10934 of 2015

TEJ(CO)
RVR 01/07/2015



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