

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.Nos.19810 to 19812 of 2015

1.K.S.Raja ... Petitioner in Crl.O.P.No.19810 of 2015

2.Goutham Traders

Represented by its Proprietor,
R.Sakthivel,
S/o.Ramasamy,
24, Emapair Village, Kallakurichi Taluk,
Villupuram District. ... Petitioner in Crl.O.P.No.19811 of 2015

3.Shri Ammbal Modern Rice Mill,

Represented by its Manager, S.Kandasamy
S/o. Sengodan Gounder,
Kacharapalayam Road,
Karanur Village, Kallakurichi Taluk,
Villupuram District. ... Petitioner in Crl.O.P.No.19812 of 2015

Vs.

V.Senthil ... Respondent in all Crl. OPs.

Common Prayer: Criminal Original Petitions filed under Section 482 of the Cr.P.C., praying to transfer the STC.No.6369 of 2014, STC.No.6367 of 2014 and STC.No.6368 of 2014 respectively, pending on the file of Judicial Magistrate, Panruti to the learned Judicial Magistrate, Kallakurichi.

For Petitioners: Mr.R.Nalliyappan [in all Crl.OPs.]

For Respondent : Dr.S.Padma [in all Crl.OPs]

COMMON ORDER

These Criminal Original Petitions have been filed praying to transfer STC.No.6369 of 2014, STC.No.6367 of 2014 and STC.No.6368 of 2014 respectively, pending on the file of Judicial Magistrate No.II, Panruti to the learned Judicial Magistrate, Kallakurichi.

2. Heard Mr.R.Nalliyappan, the learned counsel for the petitioners and Dr.S.Padma, the learned counsel appearing for the respondent.

3. It is seen that the petitioners/complainants had launched prosecution against the respondent/accused before the learned Judicial Magistrate No.II, Panruti in STC.Nos.6367 to 6369 of 2015, for an offence under Section 138 of Negotiable Instrument Act. The petitioners/ complainants have filed these transfer petitions for transferring the prosecution from the file of the learned Judicial Magistrate No.II, Panruti to the file of the learned Judicial Magistrate, Kallakurichi, in the light of the recent amendment to the Negotiable Instrument Act (Ordinance 6 of 2015 w.e.f. 15.06.2015) and also on the ground that, the complainants are residing at Kallakurichi Taluk and the accused is residing at Ulundurpet Taluk and the Court in Panruti, is inconvenient to both of them.

4.Dr.S.Padma, the learned counsel appearing for the respondent submitted that the respondent/accused is residing at Kallakurichi Taluk and that the complainant's Bank is also situated at Kallakurichi.

5. This Court is aware of the recent Ordinance 6 of 2015 w.e.f. 15.06.2015, passed by the Central Government under the Negotiable Instruments Act, according to which, prosecution for an offence under Section 138 of Negotiable Instruments Act can be launched in the Court in which jurisdiction the complainant's Bank is located.

6. In the light of the aforesaid facts, all the three Criminal Original Petitions are allowed and the cases in STC.Nos.6367 to 6369 of 2015, pending on the file of the learned Judicial Magistrate, Panruti are hereby transferred to the file of the learned Judicial Magistrate, Kallakurichi, Villupuram District.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ds

To

1.The Judicial Magistrate No.II,
Panruti

2.The Judicial Magistrate
Kallakurichi.

3. do thro the Chief Judicial Magistrate
Villupuram

2 ccs to Mr.R. Nalliyappan, Advocate, Sr. 45236

Cr1.O.P.No.19810 to 19812 of 2015

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