

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2015

CORAM

The Hon'ble Mr. Justice R.S.RAMANATHAN

Crl.O.P.No. 4044 of 2015

R.Mani

...Petitioner

vs.

N.Baskar

...Respondent

Criminal Original Petition filed under Section 407 of the Criminal Procedure Code praying to transfer the case in S.T.C.No.293 of 2011, from the file of the learned Judicial Magistrate No.III, Salem, to any other Court in Rasipuram or Namakkal.

For Petitioner : Mr.RM.Venkatesh

O R D E R

Heard the learned counsel for the petitioner.

2. It is seen from the complaint in S.T.C.No.293 of 2011, that the cheque was drawn on Lakshmi Vilas Bank, Panrutti. As the cheque was dishonoured, case was filed before the learned Judicial Magistrate No.III, Salem. As per the judgment of the Hon'ble Apex Court, reported in (2014) 4 C.T.C. 666 : (2014) 9 S.C.C. 129 in re (Dashrath Rupsingh Rathod Vs. State of Maharashtra and another) the complaint has to be filed only before the Court, within whose jurisdiction, the Bank, which has issued the cheque in question, is situate. Hence, the learned Judicial Magistrate No.III, Salem, has no jurisdiction to deal with the aforesaid case, as the cheque in question was drawn on Lakshmi Vilas Bank, which situate at Panrutti.

2 Hence, the Criminal Original Petition is disposed of, by directing the petitioner to file a Petition before the learned Judicial Magistrate No.III, Salem, seeking for transfer of the case in S.T.C.No.293 of 2011 to the Judicial Magistrate, Panrutti.

Sd/-

Assistant Registrar

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Sub Assistant Registrar

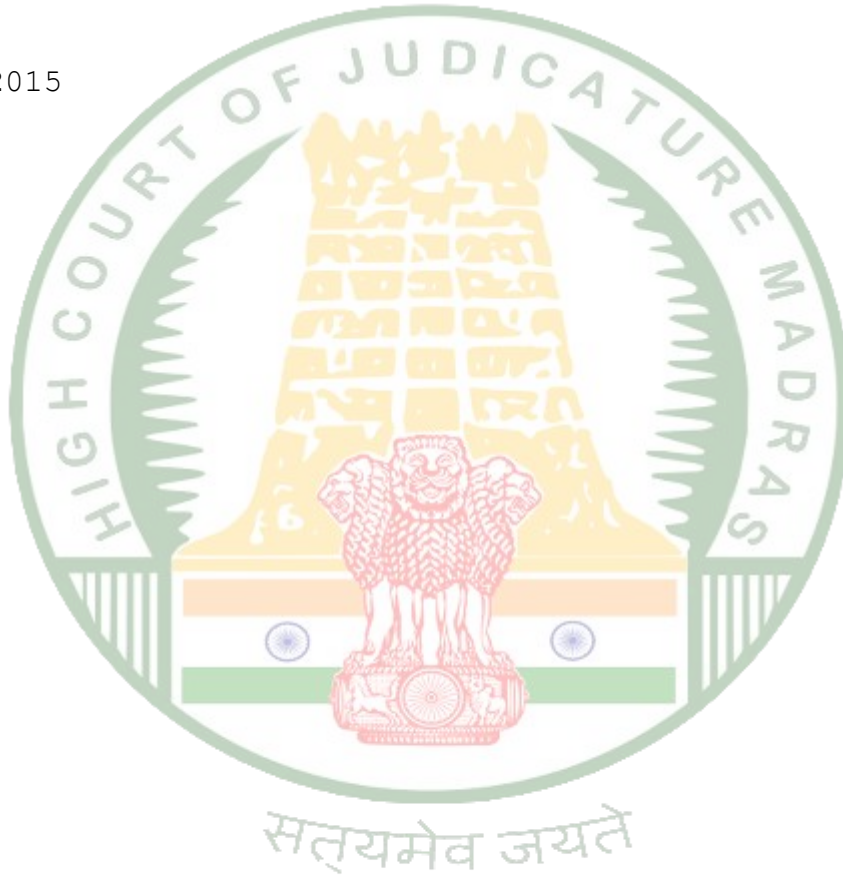
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To

1. The Judicial Magistrate, NoIII,
Salem.
2. The Judicial Magistrate,
Panrutti.

Crl.O.P.No. 4044 of 2015

EV (CO)
Eu 21.03.2015



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