



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Cr1.O.P(MD)No.1325 of 2015

and

M.P(MD)Nos.1 & 2 of 2015

1.Mookaiah

2.Kannan

3.Karanthan Malai

4.Sathyamoorthi

5.Tamilkumaran

... Petitioners/Accused Nos.1 to 5

-Vs-

1.The State rep. By,

The Inspector of Police,
Ilanchembur Police Station,
Ramanathapuram District.
(In Crime No.8 of 2013).

2.Chandrasekaran

... Respondents / Complainant

(R-2 is impleaded as per dated 21.04.2015
made in M.P(MD)No.3 of 2015)

PRAYER:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to withdraw the case in C.C.No.197 of 2014 from the file of the learned Judicial Magistrate, Mudhukulathur and transfer the same to the file of any other Judicial Magistrate Court outside of the Ramnad District for the disposal of the same on merits in accordance with law.

For Petitioners	: Mr.R.Gandhi
For R - 1	: Mrs.S.Prabha
	Government Advocate (Criminal Side)
For R - 2	: Mr.K.Kumaravel

ORDER

This Criminal Original Petition is filed to withdraw the case in C.C.No.197 of 2014 from the file of the learned Judicial Magistrate, Mudhukulathur and transfer the same to the file of any other Judicial Magistrate Court outside of the Ramnad District for the disposal of the same on merits in accordance with law.

2. Heard the learned counsel for the petitioners, the learned Government Advocate (Cr1.Side) for the first respondent and the learned counsel for the second respondent.



3. Levelling allegations against the second respondent, who is a practising advocate, this Criminal Original Petition has been filed by the petitioners for transfer as stated supra.

4. The fact that the second respondent is a practising lawyer is not in dispute. However, this Court does not find any factual basis on the same and hence, without going into the merits of the allegations, in the interest of Justice, it is just and proper to transfer the case to the learned Judicial Magistrate, Paramakudi.

5. Accordingly, this Criminal Original Petition stands allowed and the case in in C.C.No.197 of 2014 on the file of the Judicial Magistrate Court, Mudhukulathur is ordered to be transferred to the file of learned Judicial Magistrate, Paramakudi. After transfer is effected, the learned Judicial Magistrate, Paramakudi is directed to dispose of the case in C.C.No.197 of 2014 within a period of six months thereafter. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar(AE)

/ TRUE COPY /

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Mudhukulathur.
2. The Judicial Magistrate,
Paramakudi.
3. -Do- thro' The Chief Judicial Magistrate,
Ramanathapuram District.
4. The Inspector of Police,
Ilanchembur Police Station,
Ramanathapuram District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.Gandhi, Advocate, SR 40484/15

+1 CC to M/s.K.Kumaravel Advocate, SR 40468/15

ps

SH:01.08.2015: P2/6C

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and

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22.07.2015