

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.6282 of 2016

and

CrI.M.P.No.3245 of 2016

M.Kandasamy

... Petitioner

.. Vs ..

P.Sathyathan

... Respondent

Prayer:- Criminal Original Petition filed under Section 407 of the Code of Criminal Procedure, praying to withdraw and transfer the case in S.T.C.No.743 of 2015, on the file of the learned Judicial Magistrate No.I, Attur, Salem District, to Judicial Magistrate Court at Allikulam, Chennai-3.

For Petitioner : Mr.M.J.Sunder

ORDER

The petitioner has come forward with the present petition seeking to withdraw the case in S.T.C.No.743 of 2015 from the file of the learned Judicial Magistrate No.I, Attur, Salem District, and transfer the same to Judicial Magistrate Court at Allikulam, Chennai-3.

2. The learned counsel for the petitioner would submit that the petitioner is the accused in S.T.C.No.743 of 2015 on the file of the learned Judicial Magistrate No.I, Attur, for an offence punishable under Section 138 of the Negotiable Instruments Act and because of his ill-health, he is unable to appear before the learned Judicial Magistrate No.I, Attur, and hence, he has come up with the present petition seeking a direction to transfer the said case in S.T.C.No.743 of 2015 to the file Judicial Magistrate, Allikulam, Chennai.

3. At the time of argument, the learned counsel for the petitioner fairly conceded that the petitioner is ready to appear before the learned Judicial Magistrate No.I, Attur, and he wants early disposal of the case.

4. Recording the submission made by the learned counsel for the petitioner, the learned Judicial Magistrate No.I, Attur, Salem District, is directed to dispose of the case in S.T.C.No.743 of 2015, within a period of three months from the date of receipt of a copy of this order. The learned Judicial Magistrate No.I, Attur, Salem District, is also directed to consider the petition to dispense with the personal appearance of the petitioner, whenever he filed.

5. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Jrl

To

The Judicial Magistrate No.I,
Attur,
Salem District.

+1cc to Mr.M.J.Sunder, Advocate, S.R.No.18331

CRL.O.P.No.6282 of 2016

KJI (CO)
CA(07/04/2016)

सत्यमेव जयते

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