

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.Nos.12496 and 9049 of 2016
and
Crl.M.P.Nos.6435,6436, 4687 and 4688 of 2016

Vaijayanthi

... Petitioner/Accused

vs

1. Senthil Kumar ... Respondent in Crl.O.P.No.12496 of 2016
2. M.Eswaramoorthy Respondent in Crl.O.P.No.9049 of 2016

Prayer in Crl.O.P.No.12496 of 2016

Criminal Original Petition has been filed under Section 407 of Cr.P.C. praying to withdraw and transfer the C.C.No.12 of 2016 pending on the file of Judicial Magistrate, Oddanchatram to District Munsif cum Judicial Magistrate, Perundurai.

Prayer in Crl.O.P.No.9049 of 2016

Criminal Original Petition has been filed under Section 407 of Cr.P.C. praying to withdraw and transfer the S.T.C.No.125 of 2016 pending on the file of Judicial Magistrate, Udhagamandalam to District Munsif cum Judicial Magistrate, Perundurai.

For Petitioner : Ms.P.T.Ramadevi
For Respondent : Mr.K.V.Sajeew Kumar in
(Crl.O.P.No.12496 of 2016)
Mr.C.Kulanthaivel in
(Crl.O.P.No.9049 of 2016)

O R D E R

The petitioner has filed the present petitions seeking transfer of C.C.No.12 of 2016 pending on the file of Judicial Magistrate, Oddanchatram and S.T.C. No.125 of 2016 pending on the file of Judicial Magistrate, Udhagamandalam to the learned

District Munsif cum Judicial Magistrate, Perundurai.

2.Learned counsel for the petitioner submits that the respondents have filed C.C.No.12 of 2016 and STC.No.125 of 2016 respectively in two different Courts namely, Judicial Magistrate at Oddanchatram and Judicial Magistrate at Udhagamandalam respectively for dishonour of cheques. Petitioner has to travel around 300 kilometers and 180 kilometers respectively for every hearing. Hence, the petitioner seeks for transfer of these cases.

3.The learned counsel for the respondents have no serious objections in allowing these transfer petitions.

4.As agreed by both the parties, the case in C.C.No.12 of 2016 pending on the file of Judicial Magistrate, Oddanchatram, be recalled and transferred to the file of the learned Judicial Magistrate, Udhagamandalam, wherein, STC.No.125 of 2016 is pending. On such transfer, the same shall be proceeded with after giving due opportunity to the respondents as well as the petitioner and dispose of the same on merits as expeditiously as possible.

5.The petitioner is permitted to file necessary application to dispense with her personal appearance before such Court. On filing such application, the same shall be considered and the personal appearance of the petitioner shall be insisted as and when required.

6.These two Transfer Criminal Original Petitions are disposed of accordingly. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar (CS-VIII)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Oddanchatram.

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2. The Judicial Magistrate,
Udhagamandalam.

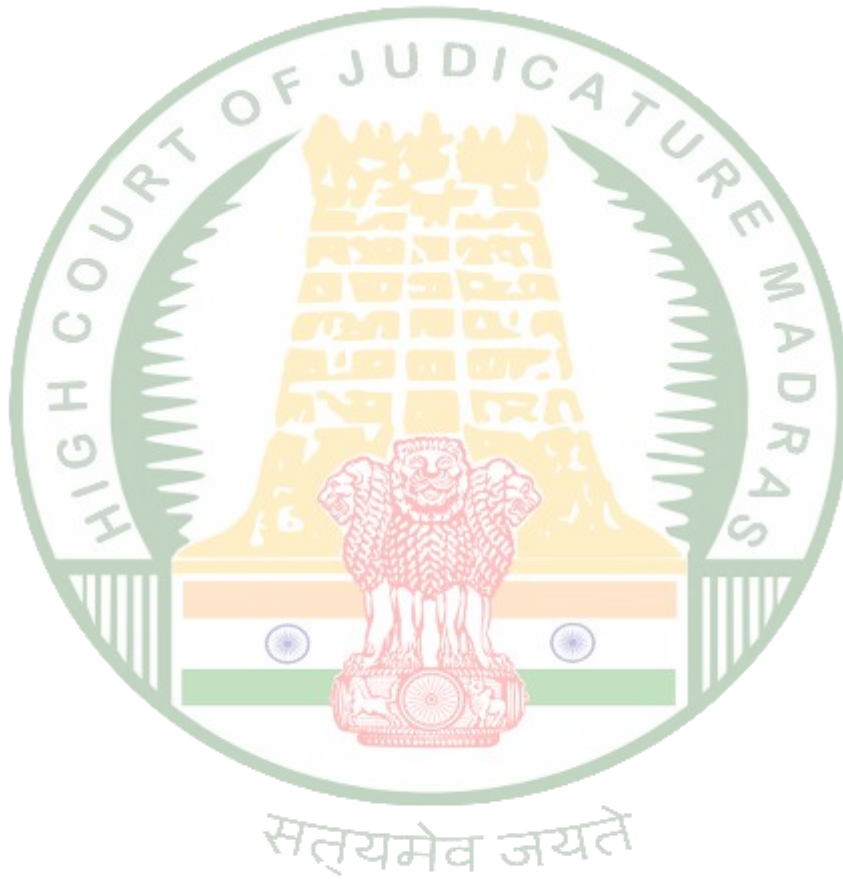
+1 CC to Mr.K.V. Sanjeev Kumar, Advocate sr 43475

+1 CC to Mr.C. Kulanthaivel, Advocate sr 43477

Crl.O.P.Nos.12496 and 9049 of 2016

AK (CO)

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