



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL OP(MD)No.11711 of 2017 and
Crl.M.P(MD).Nos.8072 and 8073 of 2017

Gengusamy

:Petitioner

Vs.

R. Rajagopal

: Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to transfer the C.C.No.64 of 2017 pending on the file of the learned Judicial Magistrate No.I, Dindigul to any other District Court.

For Petitioner

: Mr.A. Mithun Chakravarthi

O R D E R

This petition is filed to transfer the proceedings in C.C.No.64 of 2017, pending on the file of the learned Judicial Magistrate No.I, Dindigul to any other District Court.

2. The respondent has given a private complaint under Section 138 of Negotiable Instruments Act against the petitioner. Though the petitioner has stated he is not liable to pay any amount to the respondent, and that the complaint has been falsely preferred by the respondent, he has not given any valid reason for transferring the proceedings to some other Court. The only ground that is raised by the petitioner is that the respondent is an influential person and hence, the respondent Police is not taking any action on his complaint and his life is in danger, when he attend the Court for hearing.

3. The petitioner is an accused in a criminal case and the respondent has filed a criminal case for the offence of cheating the de facto complainant after receiving the amount. If the petitioner has any apprehension or feel that his life is in danger he can file necessary application before the concerned Police. No untoward incident or a complaint for any threat so far. Hence, the apprehension is artificial for the purpose of seeking transfer of the criminal case.



4. In such circumstances, this Court is not inclined to entertain this petition. Accordingly, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar.

To
The Judicial Magistrate No.I,
Dindigul.

CRL OP (MD) No.11711 of 2017 and
Cr1.M.P (MD) .Nos.8072 and 8073 of 2017

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AM/SKN RSK/SAR 2/18.09.2017/2P/2C