



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.10.2017
CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.OP(MD)No.13614 of 2017 and
CRL.M.P.(MD)Nos.9146 & 9147 of 2017

K.Suresh

... Petitioner

Vs.

D.Perumal

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 407 of Criminal Procedure Code, to withdraw the case in C.C.No.22 of 2016 from the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District and to transfer the same to the learned Judicial Magistrate No.I, Virudhunagar.

For Petitioner : Mr.A.Suresh Selvakumar

O R D E R

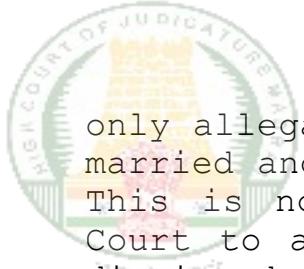
This Criminal Original petition is filed for transferring the case in C.C.No.22 of 2016 from the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District to the file of the learned Judicial Magistrate No.I, Virudhunagar.

2. Heard the learned counsel appearing for the petitioner.

3. The petitioner is the accused in C.C.No.22 of 2016 pending on the file of the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District. Since the cheque given by the petitioner to the respondent for a sum of Rs.3,00,000/- was dishonoured, when the cheque was presented for collection, the complaint was lodged.

4. It is stated by the learned counsel for the petitioner that the complaint was lodged against the petitioner with an ulterior motive and only for the reason to take vengeance against the petitioner, and in order to harass the petitioner. It is further submitted that the petitioner received a legal notice and sent a reply pointing out the false and incorrect averments made in the notice. The petitioner further stated that the complaint has been lodged suppressing the material facts.

5. None of the points urged before this Court, can be considered as a legal ground for transferring the proceedings. The



only allegation stated by the petitioner is that the petitioner is married and residing in Virudhunagar with his family and children. This is not a reason for transferring the proceedings from one Court to another Court. Hence, the Criminal Original petition is dismissed as devoid of any merits.

6. The learned counsel for the petitioner further seeks indulgence of this Court to dispense with the appearance of the petitioner.

7. The petitioner is at liberty to approach the learned District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District, for dispensing with his appearance and the same will be considered on merits and in accordance with law. Consequently, connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Munsif cum Judicial Magistrate,
Kamuthi, Ramanathapuram District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO MR.A.Suresh Selvakumar, ADVOCATE IN SR No.82280
MK/JC/SAR-1/24.10.2017/2P/4C

CRL OP(MD)No.13614 of 2017
09.10.2017