

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.9159 of 2014
and M.P.No.1 of 2014

1.M/s.SRY EMU FARMS

742-C, Ponmani Complex,
Salem Road,
Namakkal.

2.N.Jambukumar

...Petitioners

-Vs-

K.Shanthi

... Respondent

Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure, to order withdrawal of STC.No.216 of 2013 pending in the Fast Track Judicial Magistrate Court, Tiruchengode and transfer the same to Special Court under TNPID (in Financial Establishment) Act 1997, Coimbatore, to be tried together with C.C.No.2 of 2014.

For Petitioners: Mr.R.Natarajan

For Respondent : Mr.V.Vargees Amal Raja

ORDER

This criminal original petition has been filed seeking for transfer of proceedings, pending on the file of the Fast Track Judicial Magistrate Court, Tiruchengode.

2. The petitioner is facing trial before the Court below for an offence under Section 138 of Negotiable Instruments Act. The complaint has been filed in the year 2013 and this Criminal Original Petition has been filed in the year 2014. Even though, no stay was granted by this Court, the complaint has been kept pending before the Court below till today.

3. The main ground on which, this petition has been filed seeking for transfer is that the petitioner is facing trial before the Special Court under TNPID in C.C.No.2 of 2014, for an

offence under Section 120B, 406 and 420 IPC read with Section 5 of TNPID Act. The petitioner wants this complaint to be tried along with the pending case.

4. This Court does not find any ground for transfer of the case. The nature of the proceedings are entirely different and both the cases can never be tried together.

5. In the result, this Criminal Original Petition is dismissed with a direction to the Fast Track Judicial Magistrate, Tiruchengode, to complete the proceedings in S.T.C.No.216 of 2013, within a period of three months from the date of receipt of copy of this order. Consequently, the connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

LPP/vsa
To

1..The Fast Track Judicial Magistrate,
Tiruchengode.

2.The Special Judge under TNPID Act,
Coimbatore.

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