

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17394 of 2014
and M.P.Nos.1 & 2 of 2014

K.Velusamy ... Petitioner/Accused
Vs.

N.A.Velliangiri ...Respondent/Complainant

PRAYER: The Criminal Original Petition has been filed under Section 407 Criminal Procedure Code to withdraw and transfer the case in C.A.No.142 of 2013 pending on the file of the III Additional District Judge, Coimbatore, Coimbatore District to any other competent Court.

For Petitioner : Mr. P.Kalimuthu

For Respondent : Mr. M.N.Balakrishnan

O R D E R

The present Criminal Original Petition has been filed seeking for the transfer of the proceedings in C.C.No.142 of 2013 pending on the file of the III Additional District Judge, Coimbatore.

2. This petition has been filed only on the ground that connected case is pending before the IV Additional District Judge, Coimbatore.

3. The ground raised by the petitioner is not sustainable due to the fact that each criminal appeal is based on the independent facts and two criminal appeals cannot be heard together. Therefore, no prejudice will be caused to the petitioner if both the cases are heard by different Judges. After all both the Courts are situated only in Coimbatore.

4. Therefore, this Court is not convinced with the ground seeking for transfer. In the result, the Criminal Original Petition is dismissed. There shall be a direction to the Court below to complete the proceedings in Crl.A.No.142 of 2013 within a period of two (2) months from the date of receipt of a copy of this order.

Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.1, Pollachi.

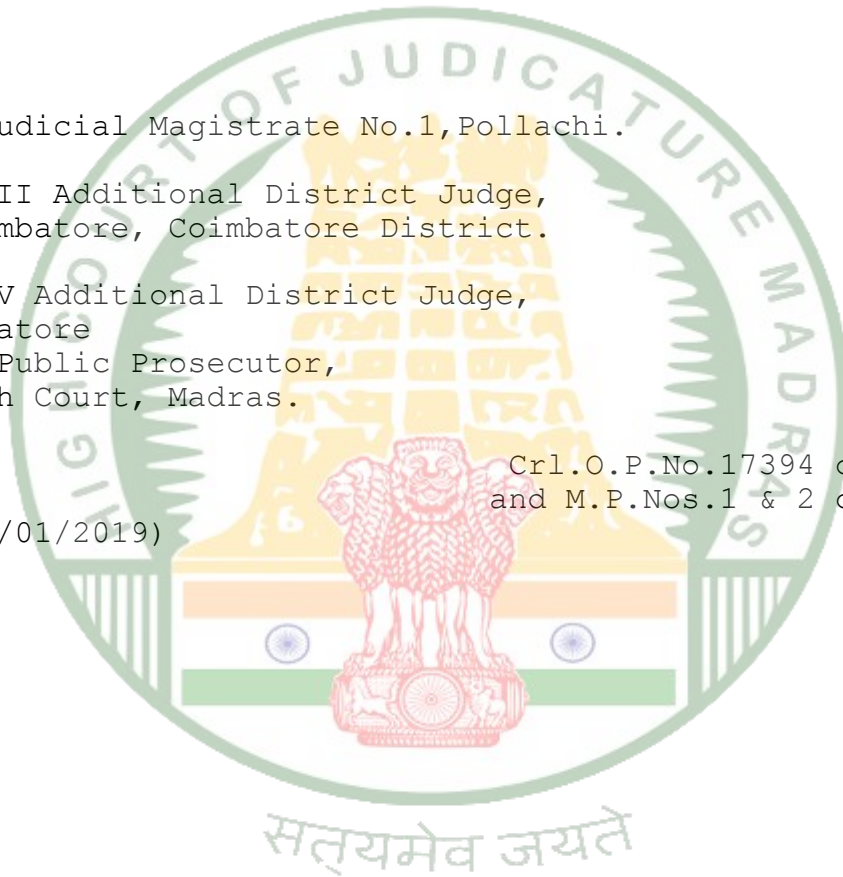
2.The III Additional District Judge,
Coimbatore, Coimbatore District.

3.The IV Additional District Judge,
coimbatore

4. The Public Prosecutor,
High Court, Madras.

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A.SK(18/01/2019)



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