

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.17636 of 2018
and CRL.M.P.Nos.9143 & 9144 of 2018

Mr.N.K.Ravindran ... Petitioner/Accused

Vs

M.B.Vijayakumar ... Respondent/Complainant

Criminal Original Petition filed under Section 407 of Cr.P.C., praying to transfer the case in C.C.No.6/2017 from Judicial Magistrate, Poonamallee to any other Court.

For Petitioner : Mr.R.Venkatesh

O R D E R

This petition has been filed praying to transfer the case in C.C.No.6 of 2017 from the file of the Judicial Magistrate Court, Poonamallee to any other Court.

2.Heard the learned counsel for the petitioner and perused the materials placed on record.

3.The petitioner is facing prosecution in C.C.No.6 of 2017 before the learned Judicial Magistrate, Poonamallee for an offence under Section 138 of Negotiable Instruments Act, 1881. It is the grievance of the petitioner that the learned Magistrate is not entertaining petitions filed by the accused and is also not referring the matter to the Mega Lok Adalat.

4.Mr.Venkatesh, learned counsel for the petitioner submitted that if the parties are referred to the Mega Lok Adalat, there is every possibility of the parties arriving at a compromise.

5.On a reading of the affidavit filed by the petitioner, there are no good grounds for transferring the case from the file of the Judicial Magistrate Court, Poonamallee. However, the learned Judicial Magistrate, Poonamallee is directed to refer the matter to the Mega Lok Adalat, for the parties to

arrive at a settlement, provided the complainant agrees to it. No one can force the complainant to settle the matter.

6.The petitioner shall appear before the trial Court within two weeks from the trial Court within two weeks from the date of receipt of a copy of this order and execute a bond under Section 88 Cr.P.C. for Rs.5,000/- without sureties to the satisfaction of the trial Court. If the accused absconds, a fresh FIR can be registered against him under Section 229-A of IPC.

With the above direction, this petition is closed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

gya

To

The Judicial Magistrate,
Poonamallee.

+1cc to Mr.R.Venkatesh, Advocate Sr.45091

CRL.OP.No.17636 of 2018

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srg 20/07/2018

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