

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.26667, 26668 & 26669 of 2018
and Crl.M.P.Nos.15358, 15360, 15362 of 2018

Solomon Jeyaraj ...Petitioner in Crl.OP.No.26667 of 2018

Ramalakshmi ...Petitioner in Crl.OP.No.26668 of 2018

Raja Samuel ...Petitioner in Crl.OP.No.26669 of 2018

Versus

Shanthi ...Respondent in Crl.O.P Nos.26667 &
26668 / 2018

Sethurama Subramanian ...Respondent in Crl.O.P Nos.26669/2018

COMMON PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to withdraw the C.C.No.5450 of 2011, C.C.No.5449 of 2011, C.C.No.5446 of 2011 respectively on the file of the FTC-II, Metropolitan Magistrate Court, Egmore at Allikulam, Chennai-3 and transfer the same to Judicial Magistrate Court No.I, Thirunelveli to be jointly tried along with C.C.No. S.T.C.Nos.96 of 2012, 1067 of 2011, 74 of 2011, 75 of 2011, 180 of 2011, 1154 of 2010, 179 of 2011, 42 of 2010, 41 of 2010, 1883 of 2010, 73 of 2011 and C.C.Nos.410 of 2010, 411 of 2010, 268 of 2010, 844 of 2010 and 741 of 2010, S.T.C.Nos.445 of 2010, 474 of 2010, 664 of 2010, 830 of 2010, 842 of 2010, 849 of 2010, 1154 of 2010, 104 of 2011, 409 of 2011 and C.C.Nos.192 of 2012, 202 of 2012, 177 of 2012 (Sec.4 Exorbitant Interest Act).

For Petitioner in all Crl.OP's : Mr.P.S.Ganesh

O R D E R

These petitions have been filed seeking for a transfer of all the cases pending before the Fast Track Court-II, Metropolitan Magistrate Court, Egmore at Allikulam, Chennai to the file of the Judicial Magistrate Court No.I, Thirunelveli. All these cases are of the year 2011 and at this stage this Court is not inclined to transfer the cases.

2.The learned counsel for the petitioners would submit that all the connected 27 cases have been transferred and is pending on the file of the Judicial Magistrate Court No.I, Thirunelveli.

3.In the facts and circumstances of the case, this Court is of the considered view that the transfer sought for by the petitioners cannot be granted. The learned counsel submitted that the presence of the petitioners may be dispensed with and they shall be represented by a counsel. The petitioners shall be present before the Court at the time of framing of charges, questioning under Section 313 Cr.P.C and at the time of passing of the Judgment. The learned counsel representing the petitioners shall cross-examine the witnesses on the same day, when they are examination in chief. The petitioner shall not dispute the identity of any witnesses.

4.This Criminal Original Petition is disposed of, with the above said directions. Consequently, connected miscellaneous petitions are also closed.

sd/-
Assistant Registrar(CS-VIII)

/True Copy/

Sub-Assistant Registrar

vv2/rpl

To

1. The Fast Track Court - II,
Metropolitan Magistrate,
Egmore at Allikulam
2. The Judicial Magistrate, No.I,
Tirunelveli

+3 cc to M/s.P.S.Ganesh, Advocate vide SR No.79341 to 79343

CrI.O.P.Nos.26667, 26668 & 26669 of 2018

RR(CO)
SSM (14/12/2018)