



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2018

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P.(MD)No.3090 of 2018  
and Crl.M.P.(MD).1434 of 2018

1.Golden Handlooms  
through its Authorised Signatory  
P.Rajesh  
No.9, BS, Sundaram Road,  
Puliampatti, Erode.

2.P.Rajesh

3.Shanmugasundaram

4.Palanisamy

5.Venkatraman Chettiyar Ponmani

6.Madavi .. Petitioners/Accused  
Vs.

M.Shek Mohamed Syed Ali .. Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 407 of Criminal Procedure Code, to withdraw and transfer the criminal complaint in S.T.C.No.899 of 2017 pending before the learned Judicial Magistrate, Tenkasi, Tirunelveli District to any of the competent Court in Madurai Jurisdiction.

For Petitioners : Mr.G.V.Vairam Santhosh

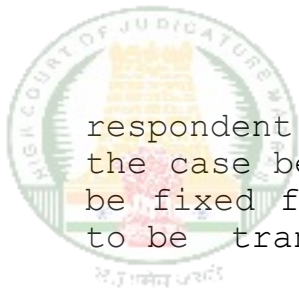
For Respondent : M/s.K.Prabhu & S.Ragaventhree

#### ORDER

This Criminal original Petition has been filed seeking a direction to withdraw and transfer the Criminal complaint in S.T.C.No.899 of 2017 pending before the learned Judicial Magistrate, Tenkasi, Tirunelveli District, to any other competent Court in Madurai jurisdiction in the interest of justice.

2.The only ground raised by the learned counsel for the petitioner/accused is that the brother of the respondent/complainant is a practising advocate in the Courts in and around Tenkasi and he is a very influential person. Therefore, apprehending interference in the case, this petition has been filed seeking for transfer.

3.The learned counsel for the respondent/complainant would <https://hcservices.ecourts.gov.in/hcservices/> outrightly deny the allegations. However, taking into consideration the allegations, without prejudice, the learned counsel for the



respondent on instructions would submit that she has no objection to the case being transferred. She would further insist that time may be fixed for disposal of the trial before the Court to which it is to be transferred.

4. The learned counsel appearing for the petitioner also submits that he has no objection in fixing time frame for disposal by the Court below.

5. Taking into consideration the submissions made by both counsels, the complaint in S.T.C.No.899 of 2017 is transferred from the file of the Judicial Magistrate, Tenkasi, Tirunelveli District to the file of the Judicial Magistrate No.IV, Madurai. On such transfer, the learned Judicial Magistrate No.IV, Madurai, shall expedite the trial and dispose of the case preferably within a period of four months thereafter.

6. This criminal original petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar (CS-III)

To

1. The Judicial Magistrate, Tenkasi, Tirunelveli District.

2. The Judicial Magistrate No.IV, Madurai.

+1cc to Mr.K.PRABHU, Advocate, SR.No.96447

+1cc to Mr.G.V.VAIRAM SANTHOSH, Advocate, SR.No.96156

CRL.O.P. (MD) No.3090 of 2018

20.11.2018

TM

KK/RSK/SAR-3/17.12.2018/2P-5C