



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.19260 of 2014

and

M.P.(MD) Nos.1 and 2 of 2014

Poovathal @ Shanthi

... Petitioner

-Vs-

Kalayanasundaram

... Respondent

PRAYER: Criminal Original petition filed under Section 407 of Criminal Procedure Code, to transfer the case pending in C.C.No.487 of 2011, pending on the file of the learned Judicial Magistrate No.II, Dindigul to any other Court of Judicial Magistrate situated at Comibatore.

For Petitioner : Mr.S.Ravi

For Respondent : Mr.S.Manickam

O R D E R

This Criminal Original petition has been filed by the petitioner / Accused, to transfer the case in C.C.no.487 of 2011 from the file of the learned Judicial Magistrate No.II, Dindigul to any of the learned Judicial Magistrate Court, Coimbatore.

2.The learned counsel appearing for the petitioner has submitted that both the petitioner and the respondent are residing at Coimbatore and only with a view of harass the petitioner, the respondent has filed the above case before the learned Judicial magistrate No.II, Dindigul, stating that he is residing in Dindigul District and hence, the above case may be transferred to any of Judicial Magistrate Court at Coimbatore.

3.The learned counsel appearing for the respondent has submitted that at the time of filing of the case in C.C.No.487 of 2011, the respondent was residing at Dindigul only and hence, the said case was filed before the learned Judicial Magistrate No.II, Dindigul and subsequently, he has shifted his residence to Coimbatore District and therefore, he has no objection to transfer the above case to any of the Courts at Coimbatore.



4. Recording the aforesaid submissions, this Criminal Original Petition is allowed. The case in C.C.No.487 of 2011 is withdrawn from the file of the learned Judicial Magistrate No.II, Dindigul and transferred to the file of the Judicial Magistrate No.I, Coimbatore for disposal in accordance with law. Consequently, connected Miscellaneous Petitions are also closed.

5. Considering the fact that the above case is pending from the year 2011, the learned Judicial Magistrate is directed to dispose of the said case within a period of four months from the date of receipt of copy of this order.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Dindigul.

2. The Judicial Magistrate No.I,
Coimbatore.

+1CC TO M/S.S.RAVI, ADVOCATE, SR NO.48505

+1CC TO M/S.S.MANICKA, ADVOCATE, SR NO.48401

CRL.O.P. (MD) No.19260 of 2014

14.02.2018

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