



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P. (MD) .No.24002 of 2015

and

M.P. (MD) Nos.1 and 2 of 2015

Mallika

...Petitioner

Vs.

Sathasivam

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Cr.P.C., to withdraw the private complaint filed in C.C.No.404 of 2007 from the file of the Judicial Magistrate, Perambalur, Perambalur District and transfer the same to any one of the Judicial Magistrate in Madurai.

For Petitioner :Mr.P.Gunasekaran

For Respondent : No Appearance

O R D E R

This Criminal Original Petition has been filed to withdraw the private complaint filed in C.C.No.404 of 2007 from the file of the Judicial Magistrate, Perambalur, Perambalur District and transfer the same to any one of the Judicial Magistrate in Madurai.

2. The learned counsel for the petitioner would submit that the complaint has been filed by the respondent for the offence punishable under Section 138 Negotiable Instruments Act, without any jurisdiction before the learned Judicial Magistrate Perambalur. The cheque was drawn at Andra Bank Madurai Branch and the same was presented before the Samayapuram Central Co-operative Bank, Trichy. The complainant is residing in Manachanallur, Trichy District. Therefore, on any event, the learned Judicial Magistrate, Perambalur has no jurisdiction to entertain this complaint. Therefore, he sought for transfer of the case in C.C.No.404 of 2007 from the file of the Judicial Magistrate, Perambalur, Perambalur District to any one of the Judicial Magistrate in Madurai.

3. There was no representation on behalf of the respondent.

4. Considering the facts and circumstances of the case, C.C.No.404 of 2007 has been withdrawn from the file of the learned Judicial Magistrate, Perambalur, Perambalur District and transferred



to the file of the learned judicial Magistrate No.III, Trichy. The learned Judicial Magistrate No.III, Trichy is directed to dispose of the case within a period of six months from the date of receipt of the bundle in C.C.No.404 of 2007. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(co)

/True Copy/

Sub Assistant Registrar(cs-II)

To

- 1.The Judicial Magistrate, Perambalur,
Perambalur District.
- 2.The Judicial Magistrate No.III, Madurai.
- 3.The Judicial Magistrate No.II,
Trichy.
- 4.The Chief Judicial Magistrate,
Trichy.

+1cc to Mr.P.Gunasekaran Advocate in SR.No.94149

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