



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P. RAJAMANICKAM

CrI.O.P.(MD) No.5064 of 2014 and
M.P(MD).No.1 of 2014

Vengatachalapathy

... Petitioner

-Vs-

T. Sivakumar

... Respondent

Prayer: This Criminal Original petition is filed under Section 482 of Code of Criminal Procedure, to transfer the case in STC.No.4475 of 2013 on the file of the Judicial Magistrate No.II, Trichy to any other competent Court other than Trichy.

For Petitioner : Mr. A. Arun Prasad

For Respondent : No appearance

O R D E R

This petition has been filed to transfer STC.No.4475 of 2013 on the file of the Judicial Magistrate No.II, Trichy to any other competent Court other than Trichy District.

2. The learned counsel appearing for the petitioner has submitted that the respondent herein has filed a complaint under Section 138 of Negotiable Instruments Act and based on the said complaint, the learned Judicial Magistrate No.II, Trichy has taken a case on file in STC.No.4475 of 2013. He further submitted that the respondent is an Advocate practising at Trichy city and if the case is conducted in the Courts at Trichy City, the petitioner apprehends that he may not get justice and hence, he requests to transfer the said case to some other District.

3. Though the respondent has received notice, he has not appeared either in person or through counsel.

4. Considering the submissions made by the learned counsel appearing for the petitioner that the respondent is an Advocate and practising at Trichy and the petitioner is having apprehension that if the case is conducted in the Courts at Trichy, he may not get justice, this Court is inclined to transfer the case in STC.No.4475 of 2013 from the file of the Judicial Magistrate No.II,



Trichy to the file of the Judicial Magistrate, Lalgudi, Trichy District.

5. In the result, this Criminal Original Petition is allowed. The case in STC.No.4475 of 2013 is withdrawn from the file of the Judicial Magistrate No.II, Trichy and transferred to the file of the Judicial Magistrate, Lalgudi, for disposal in accordance with law. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II, Trichy

2.The Judicial Magistrate, Lalgudi, Trichy District.

CrI.O.P.(MD) No.5064 of 2014 and
M.P(MD).No.1 of 2014
29.01.2018

TRP

KK/GT/SAR 2/16.02.2018/ 2P- 3C/