



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.10359 of 2016

and

Crl.M.P. (MD) No.5139 of 2016

Sivamurugan ... Petitioner
Vs.
Adimoolakrishnan ... Respondent

PRAYER: Criminal Original Petition filed under Section 407 Cr.P.C. praying to withdraw and transfer the case in C.C.No.125 of 2015 from the Court of the learned Judicial Magistrate, Ambasamuthiram to any other Judicial Magistrate Courts at Madurai.

For Petitioners : Mr.J.Lawrance
For Respondent : No Appearance

ORDER

This petition has been filed for transfer of the proceedings in C.C.No.125 of 2015 pending on the file of the learned Judicial Magistrate, Ambasamuthiram to any other Judicial Magistrate Courts at Madurai.

2.The main ground that has been raised by the petitioner is that the complainant in this case is a practicing Advocate at Ambasamuthiram Bar. Therefore, a resolution has been passed by the Bar Council, restraining the Advocates to represent the petitioner before the Court.

3.The learned counsel appearing for the petitioner would submit that none of the Advocates at Tirunelveli are willing to appear for the petitioner. Therefore, the petitioner will not be able to defend his case effectively before the Court below.

4.Though the respondent has been served with notice and his name was also printed in the cause list, there is no representation either in person or through counsel.

5.Taking into considering the facts and circumstances of the case, the case in C.C.No.125 of 2015 on the file of the learned



Judicial Magistrate, Ambasamuthiram is hereby transferred to the file of the learned Judicial Magistrate No.IV, Madurai. The learned Judicial Magistrate, Ambasamuthiram is directed to immediately take steps to transfer the entire case file in C.C.No.125 of 2015 to the file of the learned Judicial Magistrate No.IV, Madurai.

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6.In the result, this Criminal Original Petition is allowed, with the above direction. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar (CS-II)

To

- 1.The Judicial Magistrate No.IV,
Madurai.
- 2.The Judicial Magistrate,
Ambasamuthiram.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC To MR.J.LAWRANCE, Advocate SR. NO. 87878

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MYR

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