



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.17773 of 2017

and

Crl.M.P.(MD).No.11618 of 2017

1.R.Kathiravan

2.M.Maniraj

... Petitioners/Accused

-Vs-

1. The State rep. by the
Inspector of Police,
Mayanoor Police Station,
Karur District.
(Cr.No.25 of 2017)

... Respondent/Respondent

2. M.Silambarasan

... Respondent/Defacto Complainant

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the case in C.C.No.49 of 2017 pending on the file of the Learned Judicial Magistrate, No.II, Kulithalai to the file of the learned Additional Sessions Judge (PCR), Karur and conduct joint trial along with the Spl.S.C.No.46 of 2017.

For Petitioner : Mr.G.Thalaimutharasu

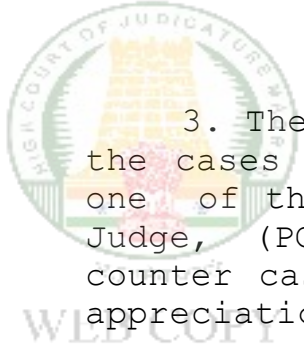
For Respondent-1: Mr.K.Anbarasan,

Government Advocate(Crl.side).

O R D E R

This Criminal Original petition has been filed by the accused in C.C.No.49 of 2017 on the file of the learned Judicial Magistrate No.II, Kulithalai to transfer the said case to the file of the Additional Sessions Judge (PCR) Karur to try along with Spl.S.C.No.46 of 2017.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the



3. The learned counsel for the petitioners submitted that both the cases are cases in counter. He further submitted that since one of the cases has been pending before the Additional Sessions Judge, (PCR), Karur in Special S.C.No.46 of 2017, the other counter case also to be transferred to the said court for proper appreciation of evidence in both the cases.

4. The learned Government Advocate (Criminal side) has conceded that both the cases are cases in counter and both the cases have to be tried by the same court in order to avoid conflict of decisions.

5. Considering the aforesaid submissions, the case in C.C.No.49 of 2017 on the file of the Judicial Magistrate No.II, Kulithalai is transferred to the file of the Additional Sessions Judge (PCR), Karur to try along with Special S.C.No.46 of 2017.

6. With the above observation, this Criminal Original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

vs
To

1. The Inspector of Police,
Mayanoor Police Station,
Karur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to MR.G.THALAIMUTHARASU, Advocate SR.No.40243

Cr1.O.P.(MD) No.17773 of 2017
02.01.2018

SMA/JC/SAR-3/10.01.2018:2P/4C