



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) No.22405 and 22406 of 2016

Ravi Sharma ... Petitioner in both Crl.O.P's
Vs.

M/s.Rammohan Textiles
Rajapalayam, a partnership firm
Through one of its partner
K.C.Rammohan ...Respondent in Crlop(md)22405/16

M/s.Rajaram Mills Private Limited
Rajapalayam, through one of its Director
S.D.Selvaram Raja ...Respondent in Crlop(md)22406/16

Prayer in Crl.O.P(MD) No.22405 of 2016: This Criminal Original Petition filed under Section 407 Cr.P.C. to withdraw the C.C.No.335 of 2015 on the file of the Judicial Magistrate Rajapalayam and transfer the same to the file of the any Judicial Magistrate Court, Madurai

Prayer in Crl.O.P(MD) No.22406 of 2016: This Criminal Original Petition filed under Section 407 Cr.P.C. to withdraw the C.C.No.334 of 2015 on the file of the Judicial Magistrate Rajapalayam and transfer the same to the file of the any Judicial Magistrate Court, Madurai

For Petitioner : Mr.A.Shajahan
in both Crl.O.P's

For Respondent : Mr.G.Marimuthu
in both Crl.O.P's

COMMON ORDER

These petitions are filed seeking to transfer the proceedings in C.C.Nos.334 and 335 of 2015 on the file of the learned Judicial Magistrate, Rajapalayam.

2. The petitioner is facing proceedings under section 138 of Negotiable Instruments Act. The petitioner has sought for transfer only on the ground that the respondent is an influential person in the locality and he is threatening him.



3. This Court cannot order transfer on the ground of mere apprehension. The petitioner has filed these petitions for transfer only to drag on the proceedings for more than three years.

4. This court does not find any ground to transfer the pending cases.

5. The Criminal Original Petitions are dismissed and there shall be a direction to the court below to complete the proceedings in C.C.Nos.334 and 335 of 2015 within a period of three months from the date of receipt of copy of this order.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The Judicial Magistrate
Rajapalayam.

+2cc to G.M.Law Office, Sr.No.89680,89681

AAV

VB/RP/SAR1/19.11.2018/2P/4C

Cr1.O.P.(MD)No.22405 and 22406 of 2016
09.10.2018