

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2019

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.1872 of 2019

and

Crl.M.P.No.1156 of 2019

Muthusamy

... Petitioner

Vs.

Punithakumar

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to withdraw the case in S.T.C.No.12 of 2018 on the file of the learned Judicial Magistrate, Fast Track Court, Nagapattinam and transfer the same to the learned Judicial Magistrate Court, Aranthangi for trial.

For Petitioner : Mr.R.Bhalasubramaniom

O R D E R

This Criminal Original Petition has been filed seeking for transfer of the case pending in S.T.C.No.12 of 2018, on the file of the Judicial Magistrate, Fast Track Court, Nagapattinam to the Judicial Magistrate Court, Aranthangi.

2.The only ground that has been raised by the learned counsel for the petitioner is that the petitioner is not keeping well and is not in a position to travel to the Nagapattinam Court. This cannot be a ground for transfer. It is always open to the petitioner to file a petition for dispensing with his appearance before the Court and the Court below shall consider the same, taking into consideration the health condition of the petitioner and the Court below shall direct the petitioner to appear as and when required and on all the other occasions, the petitioner can be represented by his counsel.

3.This Criminal Original Petition is disposed of by giving liberty to the petitioner to approach the Court below seeking for dispensing with his appearance. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(J)

//True copy//

Sub Assistant Registrar

dh/rpl

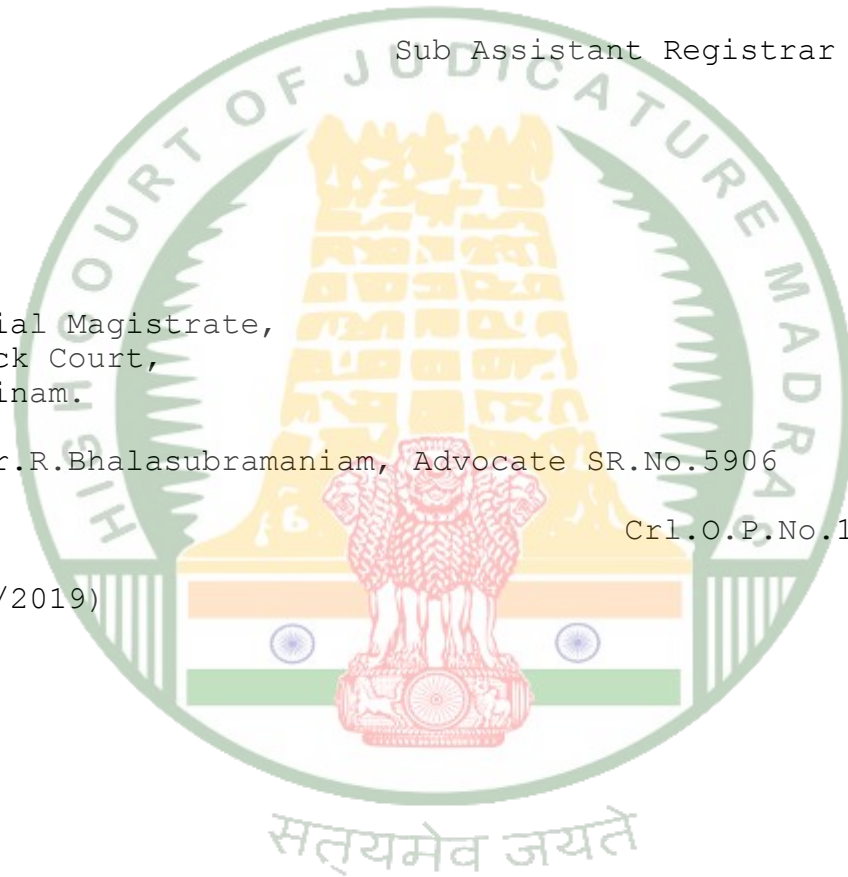
To

The Judicial Magistrate,
Fast Track Court,
Nagapattinam.

+3cc to Mr.R.Bhalasubramaniam, Advocate SR.No.5906

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GMV (08/02/2019)



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