

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.03.2019

CORAM:
THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3844 of 2019
and
Crl.M.P.Nos.2365 and 2367 of 2019

Mrs.R.Parameshwari

... Petitioner/Accused

Vs.

Raju

... Respondent/Complainant

Prayer: Criminal Original Petition filed under section 407 of Criminal Procedure Code, to withdraw the case in STR.No.1044 of 2016 on the file of the Judicial Magistrate No.2, Karaikal and to transfer the same to the Judicial Magistrate, Chidambaram.

For Petitioner : Mr.N.R.Rajagopalan

For Respondent : No appearance.

O R D E R

This petition has been filed seeking to transfer the case in STR.No.1044 of 2016 on the file of the learned Judicial Magistrate No.2, Karaikal to the file of learned Judicial Magistrate, Chidambaram.

2.The petitioner was arrayed as an accused in S.T.R.No.1044 of 2016, on the file of the learned Judicial Magistrate No.2, Karaikal, on the basis of a private complaint lodged by the respondent/defacto complainant under Section 138 N.I.Act.

3.The learned counsel for the petitioner would submit that the petitioner and the defacto complainant were co-employees and there were money transaction between them. He further submitted that the petitioner has been arrested and released on bail. Thereafter, for non-appearance before the Court below, bailable warrant was issued against the petitioner. He further submitted that the petitioner is at present working in Chennai in a Government Department and hence, she finds it difficult to travel to Karaikal and further submitted that she is facing threat from the respondent and his henchmen. Hence, he seeks to transfer the case to the Judicial Magistrate Court, Chidambaram or any other Court nearer to Karaikal.

4.The learned counsel for the respondent submitted that the private complaint was made before the learned Judicial Magistrate-II, Karaikal and hence he vehemently opposed for transferring the case to any other Court.

5.Heard both sides.

6.Considering the above submissions and on going through the reasons stated by the petitioner in the affidavit, this Court does not find any merits in this Case. Accordingly, this Criminal Original Petition is dismissed. However, the case in S.T.R.No.1044 is of the year 2015, the learned Judicial Magistrate No.2, Karaikal, is directed to complete the trial within a period of three months from the date of receipt of copy of this order. Connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

To

The Judicial Magistrate No.II,
Karaikal.

+1cc to M/s.Gnanadesikan Law Associates, Advocate, S.R.No.30371

CrI.O.P.No.3844 of 2019
and
CrI.M.P.Nos.2365 and 2367 of 2019

SJ(CO)

RRS (28/05/2019)

WEB COPY