

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4832 of 2019
and Crl.M.P.No.2851 of 2019

K.P.Padmanaban ... Petitioner

Vs.

O.Suresh Kumar ... Respondent

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the case pending in C.C.No.18 of 2017 from the file of Judicial Magistrate Fast Track Court No.II, Nagapattinam to Judicial Magistrate Court No.II, Dindigul or any other courts with a direction to complete the trial within a stipulated time.

For Petitioner : Mr.S.Nambiarooran
for M/s.Ajmal Associates

For Respondent : Mr.Syed Ibrahim

O R D E R

This petition has been filed seeking to transfer the case pending in C.C.No.18 of 2017 on the file of Judicial Magistrate Fast Track Court No.II, Nagapattinam to Judicial Magistrate Court No.II, Dindigul, and to complete the trial within a stipulated time.

2.Heard the learned counsel for the petitioner. Despite service of notice, none appeared for the respondent either in person or through counsel.

3.It is seen that as against the very same petitioner, the respondent/defacto complainant has filed a complaint for the offence punishable under Section 138 of Negotiable Instruments Act before the learned Judicial Magistrate No.II, Dindigul. It is further noted that the respondent/complainant has made similar complaints before the Judicial Magistrate Courts at Nilakottai, Manamadurai and Uthamapalayam etc. Hence, the

petitioner has filed the present petition with the aforesaid prayer.

4. In view of the above, this Court is inclined to grant the prayer as sought for by the petitioner. The learned Judicial Magistrate (Fast Track Court No.II) Nagapattinam, is hereby directed to withdraw the case in C.C.No.18 of 2017 from his file and to transfer the entire papers pertaining to C.C.No.18 of 2017, to the learned Judicial Magistrate No.II, Dindigul. On receipt of the entire case bundle, the learned Judicial Magistrate No.II, Dindigul, shall take up the matter and complete the trial proceedings within a period of six months from the date of receipt of copy of this order.

5. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Fast Track Court No.II,
Nagapattinam.
2. The Judicial Magistrate No.II,
Dindigul.

+1cc to M/s.Ajmal Associates, Advocate, S.R.No.30638

CrI.O.P.No.4832 of 2019
and CrI.M.P.No.2851 of 2019

RGN(CO)
CS/16/05/2019

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