

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2019

CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.18632 of 2019
and
Cr1.MP.No.9458 of 2019

S.Senthil ..Petitioner

Vs.

S.Vinoth Kumar ..Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the case in STC No.342 of 2019, pending trial on the file of the learned Judicial Magistrate, Sholingur, Vellore District.

For Petitioner : Mr.K.G.Senthil Kumar

For Respondent : Mr.C.Raghavan
Government Advocate

ORDER

This Criminal Original Petition has been filed seeking for transfer of the proceedings pending in STC No.342 of 2019, on the file of the learned Judicial Magistrate, Sholingur, Vellore District.

2.The respondent has filed a complaint against the petitioner for an offence under Section 138 of the Negotiable Instruments Act. This petition has been filed seeking for transfer on the ground that the respondent is a practising advocate at Sholingur, and the petitioner will not be able to get a fair trial before the Court.

3.The notice was sent to the respondent and the private notice has also been served on the respondent and his name is also printed in the cause list. There is no representation for the 2nd respondent.

4.Taking into consideration the facts and circumstances of the case and in order to ensure a fair trial, the proceedings in STC No. 342 of 2019, on the file of the learned Judicial Magistrate, Sholingur, Vellore District, is withdrawn and transferred to the file of the learned

Judicial Magistrate I, Tiruvallur. The learned Judicial Magistrate, Sholingur, shall transfer the entire case records within a period of two weeks from the date of receipt of copy of the order. The learned Judicial Magistrate I, Tiruvallur shall re-number the case and proceed further with the case in accordance with law and complete the same as expeditiously as possible.

Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

KP

To

1.Judicial Magistrate, Sholingur,
Vellore District.

2.Judicial Magistrate-I,
Tiruvallur.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.G.Senthil kumar , Advocate SR.No. 69183

Cr1.O.P.No.18632 of 2019

A.SK(24/09/2019)