

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.1610 of 2017
and Crl.M.P.No.1157 of 2017

S.Murugavel

... Petitioner

Vs

A.K.R.Exports & Imports,
Represented by its Proprietor,
Mr.A.K.Ravichandran,
No.15, Ayipalayam, Siruvanur Post,
Gobichettipalayam Taluk,
Erode District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to withdraw S.T.C.No.54 of 2013 on the file of Judicial Magistrate No.1, Gobichettipalayam and transfer the same to the Judicial Magistrate No.1, Pollachi to be tried along with C.C.No.231 of 2015.

For Petitioner : Mr.K.Govi Ganesan

For Respondent : Mr.V.Chinasamy

O R D E R

This petition has been filed to withdraw S.T.C.No.54 of 2013 on the file of Judicial Magistrate No.1, Gobichettipalayam and transfer the same to the Judicial Magistrate No.1, Pollachi to be tried along with C.C.No.231 of 2015.

2.Heard the learned Counsel for both sides.

3.This petition has been filed for transfer the S.T.C.No.54 of 2013 on the file of Judicial Magistrate No.1, Gobichettipalayam to the file of Judicial Magistrate No.1, Pollachi. The learned counsel for the petitioner submitted that the same respondent filed another complaint and the same has been taken cognizance for the offence under Section 420 of IPC in C.C.No.231 of 2015 and it is pending on the file of the Judicial Magistrate No.1, Pollachi. Therefore, the present

complaint also cannot be club together.

4.It is seen that the S.T.C.No.54 of 2013 has been initiated by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act. Whereas the other C.C.No.231 of 2015 has been taken cognizance for the offence under Section 420 of IPC. Therefore, the grounds raised by the petitioner cannot be considered to transfer the S.T.C.No.54 of 2013. However, the Judicial Magistrate No.1, Gobichettipalayam is directed to complete the trial in S.T.C.No.54 of 2013 within the period of three months from the date of receipt of a copy of this order.

5.With the above observations, this Criminal Original Petition is disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rna

To

1.The Judicial Magistrate No.1,
Gobichettipalayam.

2.The Judicial Magistrate No.1,
Pollachi.

+lcc to Mr.K.Goviganesan, Advocate, S.R.No. 39653

+lcc to Mr.V.Chinnasamy, Advocate, S.R.No. 39484

CrI.O.P.No.1610 of 2017

and CrI.M.P.No.1157 of 2017

MP (CO)
GN(14/06/2019)

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