

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.2572 of 2017
and Crl.M.P.No.1822 of 2017

R.Muthukumaran

...Petitioner/Complainant

Vs.

C.Sujatha

...Respondent/Accused

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to withdraw the C.C.No.542 of 2014 on the file of the learned Judicial Magistrate No.1, Namakkal and to transfer the same to the file of learned Judicial Magistrate, Karur.

For Petitioner : Mr.V.Vijayasurya

For Respondent : Mr.KTS.Sivakumar

O R D E R

This Criminal Original Petition has been filed to direct the respondent to withdraw the C.C.No.542 of 2014 on the file of the learned Judicial Magistrate No.1, Namakkal and to transfer the same to the file of learned Judicial Magistrate, Karur.

2.Heard the learned counsel for both sides.

3.The case of the prosecution is that the petitioner states that the C.C was filed under Section 138 and 142 of the Negotiable Instruments Act as against the respondent to punish and further award of compensation and the same is pending on the file of the learned Judicial Magistrate No.1, Namakkal from the year 2014. The petitioner continuously forced by the relatives of the respondent, who are practicing as Advocates in the same Court to withdraw the C.C and not to prosecute the above C.C. Whenever, the matter is listed for hearing they create problems with intention to induce the petitioner to the extent an FIR is filed against the petitioner. For the last two hearings they had successfully prevented the petitioner and his counsel in appearing in the above C.C before the learned Judicial

Magistrate No.1, Namakkal. Hence this petition.

4.The learned counsel for the respondent submitted that the trial commenced in C.C.No.542 of 2014 on the file of Judicial Magistrate No.1, Namakkal. Considering above facts and circumstances, the transfer cannot be permitted and the petition is devoid on merits and the C.C of the year 2014, the trial Court namely the Judicial Magistrate No.1, Namakkal is directed to complete the trial in C.C.No.542 of 2014 within a period of three months from the date of receipt of a copy of this order.

4.Accordingly, this Criminal Original Petition stands disposed of. Consequently, the connected Criminal Miscellaneous Petition is closed.

Sd/-

Deputy Registrar (CJ Conf)

//True Copy//

Sub Assistant Registrar

rna

To

- 1.The Judicial Magistrate No.1,
Namakkal.
- 2.Do Thro The Chief Judicial Magistrate,
Namakkal.
- 3.The Judicial Magistrate,
Karur.
- 4.Do Thro The Chief Judicial Magistrate,
Karur.

+1cc to Mr.K.T.S.Sivakumar, Advocate, S.R.No. 40065

Cr1.O.P.No.2572 of 2017
and Cr1.M.P.No.1822 of 2017

GJ(CO)
GN(24/05/2019)