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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

CrI.O.P.[MD]No.4578 of 2019

and

CrI.M.P.(MD)Nos.2809 and 2810 of 2019

Sumathi : Petitioner/Accused

Vs.

Ramesh : Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to transfer the case in S.T.C.No.31 of 2015 on the file of the learned Fast Track Court at Magistrate Level, Pattukkottai to the Court of learned Judicial Magistrate at Pudukkottai or any other competent Court.

For Petitioner : Mr.A.Banumathy

ORDER

The present petition is filed seeking transfer of trial in STC No.31 of 2015, wherein the trial is underway before the Fast Track Court, Pattukottai.

2. The offence is one under Section 138 of Negotiable Instruments Act and the petitioner is arrayed as accused.

3. The learned counsel for the petitioner submitted that the petitioner resides in Pudukottai, which is about seventy kilometers away from Pattukottai and being a lady she finds difficult to travel the distance.

4. Though the trial of a criminal case involves a degree of inconvenience to parties, mere distance involved in travel cannot be a guiding factor in all circumstances for considering the prayer for transfer, if there is a possibility of minimizing such inconvenience.

5. This Court therefore directs the trial Court to frame a time schedule for trial, and minimize the number of postings on which the petitioner may have to appear before the trial Court. This apart, the petitioner is also dispensed from appearing unless the trial Court requires her presence, but subject to the statement made herein above.



6. With the above direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (cs-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The Fast Track Court at Magistrate Level,
Pattukkottai

+1cc to Mr.A.Banumathy, Advocate, SR.No.57063

Crl.O.P.[MD]No.4578 of 2019
27.03.2019

SP/30.04.2019/ 2P/3C