



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P. (MD) .No.8598 of 2017

and

Crl.M.P. (MD) No.5794 of 2017

M.Sakthimohan

... Petitioner/Sole Accused

Vs.

K.Rajendran

... Respondent/ Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to transfer the case in C.C.No.147 of 2016 filed by the Respondent pending before the Judicial Magistrate Court, Andipatti, Theni District to the learned Judicial Magistrate, Nilakottai Dindigul District to be tried along with Crl.M.P.No.5036 of 2016 on the file of Leaned Judicial Magistrate, Nilakottai, Dindigul District filed by the petitioner.

For Petitioner : Mr.M.Sankar

O R D E R

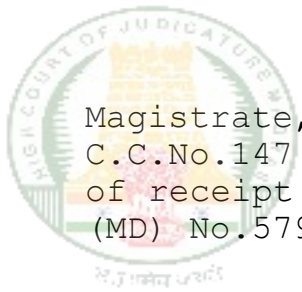
This Criminal Original Petition has been filed seeking to transfer the proceedings in C.C.No.147 of 2016 which is now pending on the file of the learned Judicial Magistrate, Andipatti.

2. The respondent has filed a complaint against the petitioner for offence under Section 138 of the Negotiable Instruments Act. The petitioner wants this complaint to be transferred from the file of the learned Judicial Magistrate, Andipatti, Theni district to the file of the learned Judicial Magistrate, Nilakottai on the ground that the petitioner has given a complaint against the respondent for demanding exorbitant interest.

3. Heard the learned counsel for the petitioner. The name of the respondent has been printed in the cause list but there was no representation for the respondent.

4. Taking into consideration the facts and circumstances of the case, this Court does not find any ground to transfer this case since the cause of action in both the cases are different.

5. In view of the above, this Criminal Original Petition is dismissed and there will be a direction to the learned Judicial



Magistrate, Andipatti, Theni district to dispose of the complaint in C.C.No.147 of 2016 within a period of three(03) months from the date of receipt of a copy of this order. Consequently, connected Crl.M.P. (MD) No.5794 of 2017 is closed.

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Sd/-

Assistant Registrar (crl.side)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1) The Judicial Magistrate Court,
Andipatti, Theni District
- 2) The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P. (MD) .No.8598 of 2017

Dated:20.09.2019

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MK (24.10.2019) 2P 3C