

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2020

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.1890 OF 2020

AND

CRL.M.P.NO.1160 OF 2020

J.Benjamin Jacob

... Petitioner/Accused

Vs

K.Venukadevi

.... Respondent/Complainant

PRAYER:

Criminal Original Petitions filed under Section 407 of Cr.P.C, praying, to transfer the case in C.C.No.32 of 2006 pending before the Judicial Magistrate No.I Court, Pollachi to the Judicial Magistrate No.I, Udumalaipettai, Tiruppur District.

For Petitioner : Mr.A.Saravanan

For Respondent : Mr.D.R.Arun Kumar

ORDER

This Criminal Original Petition has been filed to transfer the case in C.C.No.32 of 2006 pending on the file of the learned Judicial Magistrate No.I, Pollachi to the learned Judicial Magistrate No.I, Udumalaipettai, Tiruppur District.

2. Heard Mr.A.Saravanan, learned counsel for the petitioner and Mr.D.R.Arun Kumar, learned counsel for the respondent.

3. This petitioner had already filed a quash petition before this Court in Crl.O.P.No.17892 of 2010 and it was pending before this Court for the past seven years and the same was dismissed by an order dated 19.09.2017 as withdrawn and also directed the trial Court to complete the trial within a period of six months from the date of receipt of a copy of this order. Again, the petitioner has filed a quash petition before this Court in Crl.O.P.No.23041 of 2019 to quash the proceedings on the very same ground. Now, the said petition is also dismissed by this Court, by the order even dated. Pending the quash petition, the petitioner has filed this petition to transfer the entire case without any reason. However, the petitioner has managed to drag

the entire trial for the past 14 years and as such, the act of the petitioner is nothing but clearly an abuse of process of law and it is liable to be dismissed.

4. In view of the above reasonings and having regard to the fact that the affidavit filed in support of the above petition is bereft of reasons, this Criminal Original petition is dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kv

To

1. The Judicial Magistrate No.I, Pollachi
2. The Judicial Magistrate No.I,
Udumalaipettai, Tiruppur District.

+1cc to Mr.D.R.Arun Kumar, Advocate, S.R.No.21848

Crl.O.P.No.1890 of 2020

MR(CO)
CS/17/03/2020



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