

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3497 of 2017
and
Crl.M.P.Nos.2524 and 2525 of 2017

K.Raajhavelu

...Petitioner/Accused

Vs

Balaji

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 407 of Cr.P.C, praying to withdraw the case in CC No.3372 of 2016 on the file of Fast Track-I, Metropolitan Magistrate, Allikulam, Commercial Complex, Chennai and transfer the same to the Judicial Magistrate No.I, Vellore, Vellore District.

For Petitioner : M/s.M.Sathishkumar
(No appearance)

ORDER

This petition has been filed under Section 407 of Cr.P.C, praying to withdraw the case in CC No.3372 of 2016 on the file of Fast Track-I, Metropolitan Magistrate, Allikulam, Commercial Complex, Chennai and transfer the same to the Judicial Magistrate No.I, Vellore, Vellore District.

2. It is seen from the petition that the only ground raised by the petitioner is that the cheques in question were issued at Vellore at the respondent's office, at that time, the petitioner was at Cuddalore and the cheques were presented at Chennai by the respondent. The demand notice issued by the respondent is from Vellore and the respondent is residing at Wallajah, Vellore District. The respondent/defacto complainant filed the complaint before the learned Judicial Magistrate No.I, Vellore and thereafter on the jurisdiction point, it was transferred to the file of the Fast Track Court No.I, Metropolitan Magistrate, Allikulam, Chennai. It is seen from

the records that the alleged cheque was presented at Triplicane, Chennai and as such, Fast Track Court No.I, Metropolitan Magistrate, Allikulam, Chennai, is having got jurisdiction to try this case. Therefore, this Court finds no ground to transfer the case to the file of the learned Judicial Magistrate No.I, Vellore, Vellore District. This petition is devoid of merits.

3. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mra

To

1.The Metropolitan Magistrate,
Fast Track-I,
Allikulam, Commercial Complex,
Chennai.

2.The Judicial Magistrate No.I,
Vellore, Vellore District.

3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.3497 of 2017
and

CrI.M.P.Nos.2524 and 2525 of 2017

AK(CO)
KKV/08/09/2020

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