

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14298 of 2017
and
CRL.MP.Nos.9092 & 9093 of 2017

A. Jeyaraj ... Petitioner /Accused

Vs.

R. Thangavelu ... Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to pass an order to withdraw the case in CC.No.90 of 2017 on the file of the Hon'ble Judicial Magistrate Court No.1 at Namakkal and transfer the same to any Fast Track Metropolitan Magistrate Court in Chennai.

For Petitioner : Mr.A.Thirumaran

For Respondent : Mr.C.Samadharmarasu

ORDER

This Criminal Original Petition has been filed to pass an order to withdraw the case in CC.No.90 of 2017 on the file of the Hon'ble Judicial Magistrate Court No.1 at Namakkal and transfer the same to any Fast Track Metropolitan Magistrate Court in Chennai.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. It is averred that the petitioner is suffering from spinal Disorder with L4, L5 disc bulge and as such, he undergone medical treatment. Therefore, he is not able to travel from Chennai to Namakkal. Therefore, he seeks for transfer of case.

4. It is seen that the petitioner is being an accused and aged about only 42 years, he seeks transfer only on the ground of health issue and on this ground, this court cannot transfer the case to any other court since the defacto complainant is

residing in Namakkal and he filed a case under Section 138 of Negotiable Instruments Act as against the petitioner. So, this court is not inclined to transfer the case. However, the trial court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order, if not already disposed of.

5. In the result, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

gv

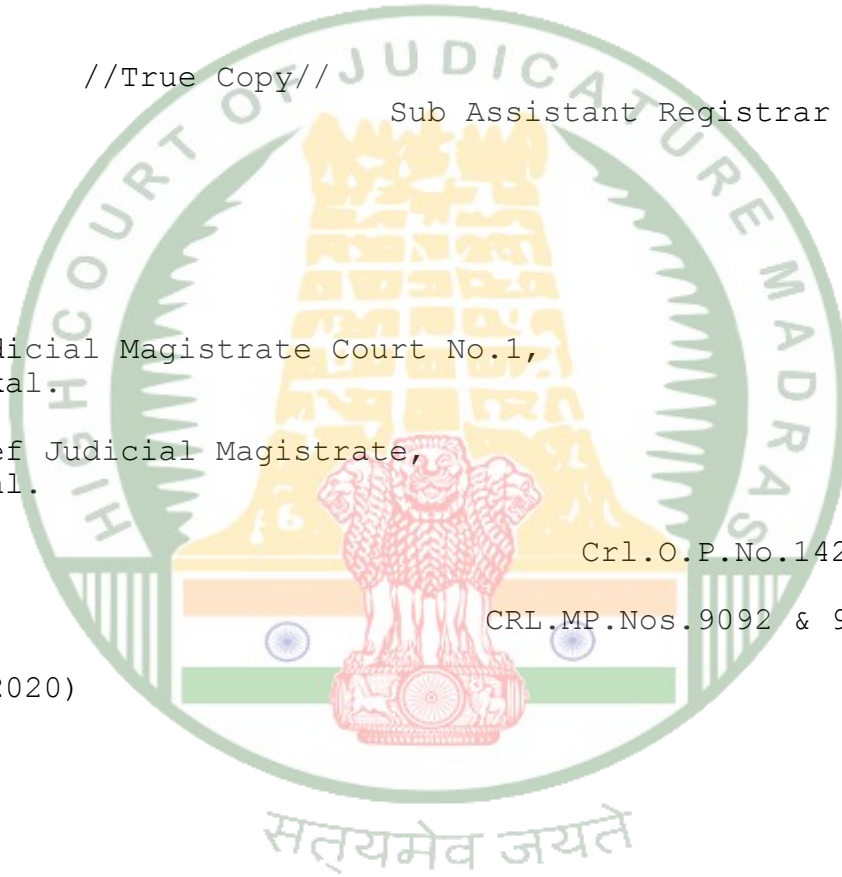
To

1.The Judicial Magistrate Court No.1,
Namakkal.

2.The Chief Judicial Magistrate,
Namakkal.

Crl.O.P.No.14298 of 2017
and
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BS (CO)
CB(23/09/2020)



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