



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 26.02.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P. (MD)No.3060 of 2021

and

Crl.M.P(MD) .No.1647 of 2021

S.R.Parani ... Petitioner/Sole Accused

Vs.

S.Selvaraj ... Respondent/Complainant

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to transfer STC.No.78 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court, Theni to any other District Judicial Magistrate Court outside Theni District.

For Petitioner : Mr.M.Sankar Ganesh

For Respondent : Mr.P.Arunjeyatram

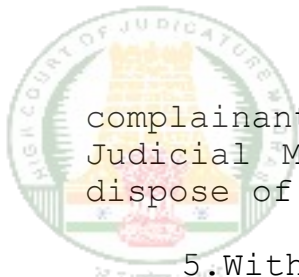
**ORDER**

The present petition is filed seeking to transfer STC.No.78 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court, Theni to any other Judicial Magistrate.

2.Mr.M.Sankar Ganesh, learned counsel appearing for the petitioner would contend that though it is mentioned in the affidavit of the petitioner that "the petitioner cannot expect an impartial trial from the learned Judicial Magistrate", yet the petitioner is not making any allegation against the Judicial Magistrate, Theni.

3.Mr.P.Arunjeyatram, who undertakes to file vakalat on behalf of the respondent, contended that the present petitioner/accused is not cross-examining the witnesses examined on the side of the complainant and is attempting to protract the proceedings as far as possible.

4.Since no specific allegations are made against the learned Judicial Magistrate, Theni, I do not find any reason to transfer in STC.No.78 of 2020 from the file of the learned Judicial Magistrate, Fast Track Court, Theni. The present petitioner/accused is directed to cross-examine all the witnesses examined on the side of the



complainant without seeking for any adjournment and the learned Judicial Magistrate, Fast Track Court, Theni is also directed to dispose of STC.No.78 of 2020 as expeditiously as possible.

5.With the above observation, the Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Judicial Magistrate, Fast Track Court, Theni.

Crl.O.P.(MD)No.3060 of 2021  
26.02.2021

MJ(CO)  
TR(29.03.2021) 2P 2C