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Crl.O.P.No.8722 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.8722 of 2023
& Crl.M.P.Nos.5585 & 5588 of 2023

Subramani

... Petitioner

Vs.

Dhanasekar

... Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to withdraw the S.T.C.No.460 of 2021, pending on the file of Judicial Magistrate Court, Paramathy, Namakkal District and to transfer the same to the file of Fast Track Court No.1, at Magisterial Level, Erode, and to try along with S.T.C.No.149 of 2022.

For Petitioner : Mr.C.S.Saravanan

For Respondent : No appearance



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ORDER

WEB COPY This Criminal Original Petition has been filed to withdraw the S.T.C.No.460 of 2021, pending on the file of Judicial Magistrate Court, Paramathy, Namakkal District and to transfer the same to the file of Fast Track Court No.1, at Magisterial Level, Erode, and to try along with S.T.C.No.149 of 2022.

2.The learned counsel for the petitioner submitted that petitioner is facing five cases under Section 138 of Negotiable Instruments Act. Out of these cases, four cases in S.T.C.Nos.62 of 2022, 149 of 2022, 163 of 2022 & 178 of 2022 are pending before Fast Track Court No.1, Magisterial Level, Erode and one case in S.T.C.No.460 of 2021 is pending before Judicial Magistrate Court, Paramathy, Namakkal District. Complainant in S.T.C.No.460 of 2021 is the son-in-law of Thangavelu. Thangavelu is the complainant in S.T.C.No.149 of 2022 and 163 of 2022 and one Palanisamy is the complainant in S.T.C.No.62 of 2022 and 178 of 2022. In the said circumstances, petitioner prays for transfer of S.T.C.No.460 of 2021 on the file of learned Judicial Magistrate, Paramathy, Namakkal District, to Fast Tack Court No.I, Magisterial Level, Erode, for trying along with S.T.C.No.149 of 2022.



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3.This Court finds from the complaint allegations in all the cheque dishonour cases that, each case has independent cause of action. Therefore, there is no question of ordering transfer of S.T.C.No.460 of 2021 pending on the file of learned Judicial Magistrate, Paramathy, Namakkal District, to Fast Tack Court No.I, Magisterial Level, Erode, to try along with S.T.C.149 of 2022. In this view of the matter, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petitions are closed.

21.04.2023

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Index:Yes/No

Speaking/Non speaking order



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G.CHANDRASEKHARAN.J.,

ep

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