



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22483 of 2023
and
Crl.M.P. Nos.15682 & 15683 of 2023

K.Karthik

... Petitioners

-VS-

S.Shanthi @ Shanthini

...Respondent

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to permit the petitioner to withdraw the case in C.C. No.248 of 2019 from the file of the learned Fast Track Judicial Magistrate No.II, Coimbatore and transfer the same to the file of the learned Judicial Magistrate, Trichy West.

For Petitioner

: Mr.T.Shanmugam

ORDER

Private complaint under Section 138 of Negotiable Instruments Act, 1881 which is pending on the file of the learned Judicial Magistrate No.II, Coimbatore in C.C.No.248 of 2019 is sought to be transferred to Trichy where a private complaint initiated by the petitioner/accused is pending in C.C. No.616 of 2020 on the file of the learned Judicial Magistrate No.II, Trichy.



Dr.G.JAYACHANDRAN, J.

2. The reading of the private complaint under Section 138 of the Negotiable Instruments Act, 1881 on the file of Judicial Magistrate No.II, Trichy, does not warrant in joint trial or simultaneous trial by the same Court. Furthermore, private complaint under Section 138 of the Negotiable Instruments Act, 1881 on the file of Judicial Magistrate, Coimbatore is in the stage of recording evidence. In the said circumstances, there is no reason to transfer the case pending in Coimbatore to Trichy. Hence, the petition is dismissed. Consequently, connected Miscellaneous Petitions are also dismissed.

3. Taking note of the fact that the private complaint in C.C.No.248 of 2019 is pending for more than four years, the concerned Magistrate is directed to expedite the trial and complete the same preferably within a period of four months from the date of receipt of a copy of this order.

06.10.2023

Internet : Yes/No

Index : Yes/No

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To

1. The Fast Track Judicial Magistrate No.II,
Coimbatore.

2. The Judicial Magistrate No.II, Trichy.

3. The Public Prosecutor, Madras High Court, Madras.

Crl.O.P.No.22483 of 2023

and

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