



CrI.O.P.(MD)No.7878 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.7878 of 2023
and CrI.M.P.(MD).No.6884 of 2023

S.Gunasekar

... Petitioner/Sole Accused

Vs.

1.The Inspector of Police,
District Crime Branch,
Theni District,
Theni.
Cr.No.5 of 2018.

... Respondent/Complainant

2.Manimegalai

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the case in C.C.No.126/2019 from the learned Judicial Magistrate,Theni to the learned Judicial Magistrate, Bodinayakkanur.

For Petitioners : Mr.S.Jeyakumar

For Respondents : Mr.B.Nambiselvan for R1
Additional Public Prosecutor

ORDER

This petition is filed seeking to transfer the case in C.C.No. 126/2019 from the learned Judicial Magistrate,Theni to the learned Judicial Magistrate, Bodinayakkanur.



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2.This petition has been filed on the ground that the connected matters in S.T.C.No.460 of 2018, 467 of 2018 and 913 of 2019 are pending before the learned Judicial Magistrate, Bodinayakanur, which, according to the counsel for the petitioner, are connected with the continuous transaction. All the above said matters also pending trial and so far no trial has been commenced. Considering the above said submissions, I am of the considered view that the case in C.C.No.126 of 2019 pending on the file of the learned Judicial Magistrate, Theni, may also be transferred to the the file of the learned Judicial Magistrate, Bodinayakkanur, for conducting the trial, of course, with notice to the defacto complainant, who is the second respondent herein, intimating the above said transfer.

3.Let the learned Judicial Magistrate, Theni, transfer the entire records to the learned Judicial Magistrate, Bodinaykkanur, immediately. On receipt of the order, the Transferee Court shall assign new number and proceed in accordance with law, of course, the trial may also be undertaken along with the pending matters.



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4.The learned Additional Public Prosecutor would submit that since the matter is of the year 2018, a direction may be given to expedite the trial process. Accordingly, there shall be a direction to the learned Judicial Magistrate, Bodinayakkanur, to expedite the trial process in all the above matters and dispose of the same, within a period of six months from the date of appearance of all the parties. Let the petitioner also appear on receipt of summons from the transferee Court.

5.With the above said directions, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
TM

27.04.2023

To

- 1.The Judicial Magistrate, Theni.
- 2.The Judicial Magistrate, Bodinayakkanur.
- 3.The Inspector of Police, District Crime Branch,
Theni District,Theni.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVAN. J.

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