



Crl.O.P.(MD)Nos.11740,11741and11743 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)Nos.11740,11741 and 11743 of 2022

and

C.M.P.(MD)Nos.7402,7403 and 7404 of 2022

CRL.O.P.(MD)No.11740 of 2022:

Ashok Murugan

... Petitioner

Vs.

Amirthalingeswaran

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the case in S.T.C.No.61 of 2021 on the file of the District Munsif cum Judicial Magistrate Court Kodaikanal, and transfer the same to Judicial Magistrate No.1, Pollachi, Coimbatore District.

For Petitioner : Mr.Ragaventhre.S



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CRL.O.P.(MD)No.11741 and 11743 of 2022:

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Ashok Murugan

... Petitioner

Vs.

Ramkumar

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to withdraw the case in S.T.C. No.121 of 2020 and S.T.C. No.60 of 2021 on the file of the District Munsif cum Judicial Magistrate Court Kodaikanal, and transfer the same to Judicial Magistrate No.1, Pollachi, Coimbatore District.

For Petitioner : Mr.Ragaventhre.S
for both cases

For Respondent : Mr.C.Mayil Vahana Rajendran
in both cases

COMMON ORDER

These Criminal Original Petitions have been filed, invoking Section 482 Cr.P.C., seeking orders to withdraw the case in S.T.C.Nos. 61 of 2021 and 121 of 2020 and 60 of 2021 on the file of the District Munsif cum Judicial Magistrate Court, Kodaikanal, and transfer the same to Judicial Magistrate No.1, Pollachi, Coimbatore District on the ground that he suffered severe injury and fractured in the right leg and hence, he



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could not travel to defend the case.

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2. The learned counsel appearing for the petitioner submits that a direction was issued by this Court directing the trial Court to expedite the trial proceedings within a period of two months in Crl.O.P(MD).Nos.18921 and 18497 of 2022, dated 17.11.2022. According to the petitioner, the said order was passed without hearing him.

3. So whatever it may be the respondents, submitted that the petitioner was examined in chief. Later, a petition was filed to recall for cross examination.

4. Considering the fact that Chief examination was over and also a direction was issued to the trial Court to expedite the proceedings, at this stage, transfer of the proceedings is not required. However, the trial Court is directed to complete the trial proceedings as per the earlier order of this Court, without fail.



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5. With the above observations, these Criminal Original Petitions are disposed of. Consequently, the connected Miscellaneous Petitions are closed.

05.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
trp



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To
1.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J

trp

Order made in
Crl.O.P.(MD)No.11740,11741 and 11743 of 2022
and
C.M.P.(MD)No.7402,7403 and 7404 of 2022

Dated: 05.04.2023