



CrI.O.P.(MD) No.17372 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.O.P.(MD) No.17372 of 2022

and

CrI.M.P.(MD) Nos.11759 and 11760 of 2022

Tamilarasan

... Petitioner

Vs

S.Rajkumar

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records in STC No.257/2021 on the file of Judicial Magistrate, Fast Track Court No.II, Madurai and withdraw and to transfer the case to any other Judicial Magistrate at Tiruchirapalli or Kallakurichi or Ulundurpettai.

For Petitioner : Mr. Udaya Shankar.M.G

For Respondent : Mr.S.Anandha Rajagopal



CrI.O.P.(MD) No.17372 of 2022

ORDER

WEB COPY

This petition has been filed to transfer the records in STC No.257 of 2021 from the file of Judicial Magistrate, Fast Track Court No.II, Madurai to any other Judicial Magistrate at Tiruchirapalli or Kallakurichi or Ulundurpettai.

2.The grievance of the petitioner is that the petitioner is facing charges under Section 138 of NI Act in STC No.257 of 2021 before the learned Judicial Magistrate, Fast Track Court No.II, Madurai. Since a threat was made to him while he appeared before the trial Court for hearing, this petition has been filed, seeking transfer of trial process in the said case. That apart, he is residing at Cuddalore and find very difficult to travel from Cuddalore to Madurai for every hearing.

3.Per contra, the learned counsel for the respondent submitted that no threat was made to the petitioner. Without any cause of action, this petition has been filed. Hence, prays to dismiss the petition.



CrI.O.P.(MD) No.17372 of 2022

4.Considering the facts and circumstances of the case, simply because the petitioner is a resident of Cuddalore, the trial process can not be transferred either to Cuddalore or Tiruchirapalli or Kallakurichi or Ulundurpettai. If the case is transferred as requested by the petitioner, then the respondent/complainant would suffer to conduct the trial in that place. Without any cause of action, this petition has been filed. I find no reason to transfer the case in STC No.257 of 2021 from the file of Judicial Magistrate, Fast Track Court No.II, Madurai to any other Judicial Magistrate at Cuddalore or Tiruchirapalli or Kallakurichi or Ulundurpettai.

5.In view of the above facts, this petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

21.11.2023

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

PNM



WEB COPY



CrI.O.P.(MD) No.17372 of 2022

G.ILANGOVAN, J.

PNM

ORDER IN
CrI.O.P.(MD) No.17372 of 2022
and
CrI.M.P.(MD) Nos.11759 and 11760 of 2022

21.11.2023