



1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19/04/2023

CORAM:

THE HON'BLE MR JUSTICE G.ILANGO VAN

Cr1.OP (MD) No.14146 of 2022

and

Cr1.MP (MD) No.9089 of 2022

Seenivasa Divari @ S.N.Divari : Petitioner

Vs.

V.C.Stalin : Respondent

Prayer: Criminal Original Petition has been filed under section 407(6) of the Criminal Procedure Code, to withdraw the case in STC No.102 of 2022 pending on the file of the Judicial Magistrate, Fast Track Court, Theni filed under section 138 of the Negotiable Instruments Act and transfer the same to the Judicial Magistrate, Alandur, Chennai and pass such further orders.

For Petitioner : Mr.G.Bhagavath Singh

For Respondent : Mr.D.Selvanayagam

**O R D E R**

WEB COPY

This criminal original petition is filed seeking for withdrawal of the case in STC No.102 of 2022 pending on the file of the Judicial Magistrate, Fast Track Court, Theni and transfer the same to the Judicial Magistrate, Alanthur, Chennai, for simultaneous trial.

2.Heard both sides.

3.On the basis of the complaint given by the petitioner, a case in Crime No.635 of 2022 was registered by the Pallikaranai Police, Chennai against the respondent herein and others. On that account, the petitioner wants the case in STC No.102 of 2022 pending on the file of the Judicial Magistrate, Fast Track Court, Theni to be transferred to the Judicial Magistrate, Alandur, Chennai, for simultaneous trial along with the counter complaint given by him.

4.It appears that investigation is pending and so far, no final report has been filed. Unless the final report is filed, both the matters cannot be clubbed for simultaneous trial. The petitioner has to wait till the



5. In view of that, this criminal original petition is dismissed. But however, liberty is granted to the petitioner to move proper petition at the appropriate time in the manner known to law before the appropriate forum. Consequently connected Miscellaneous Petition is closed.

```
Index:Yes/No
Internet:Yes/No
er
```

The Judicial Magistrate,
Fast Track Court,
Theni.



WEB COPY



4

G. ILANGO VAN, J

er

Cr1.OP (MD) No.14146 of 2022

19/04/2023



WEB COPY

