



Crl.O.P.(MD)No.2008 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2008 of 2023

E.Valliyammal

... Petitioner

Vs.

R.Dinesh Kumar

... Respondent

PRAYER : Criminal Original Petition filed under Section 407 of Criminal Procedure Code, to withdraw the case in S.T.C.No.31 of 2019 pending on the file of the 2nd Additional District Munsif cum Judicial Magistrate Court, Thiruvudaimaruthur and transfer the same to the file of the Judicial Magistrate Court, Avinashi and to dispose the case at the earliest within the time frame fixed by this Court.

For Petitioner : Mr.S.Arjun

ORDER

This Criminal Original Petition has been filed, invoking Section 407 Cr.P.C., seeking orders to withdraw the case in S.T.C.No.31 of 2019



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pending on the file of the 2nd Additional District Munsif cum Judicial Magistrate Court, Thiruvudaimaruthur and transfer the same to the file of the Judicial Magistrate Court, Avinashi and to dispose of the case at the earliest within the time frame fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner is 63 years old and is resident of Avinashi and since the case is pending in Thiruvudaimaruthur, she has to travel all along from Avinashi to Thiruvudaimaruthur.

3. It is pertinent to note that the complaint for the offences under Sections 138 r/w 142 of Negotiable Instruments Act is pending from 2019 onwards.

4. The ground now alleged by the petitioner cannot be considered as a reason or ground to transfer the case. However, since the case is pending from 2019 onwards, the learned 2nd Additional District Munsif cum Judicial Magistrate, Thiruvudaimaruthur is directed to complete the trial and dispose of the case within a period of three months from the date of receipt of a copy of this order.



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5. With the above direction, this Criminal Original Petition stands disposed of.

02.02.2023

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

To

1.The 2nd Additional District Munsif cum Judicial Magistrate Court,
Thiruvudaimaruthur.



WEB COPY



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K.MURALI SHANKAR,J.

csn

Order made in
CrI.O.P.(MD)No.2008 of 2023

Dated: 02.02.2023