



Crl.O.P.No.6382 and 6414 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P Nos.6382 and 6414 of 2024

Crl OP No.6382 of 2024

Mrs.A.Baby Rani

...Petitioner

Vs.

L.Madesh

...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to set aside the returned docket order dated 19.2.2024 made by the learned Principal District and Sessions Judge, Salem in Tr.C.M.P.Sr.499/2024 and direct the learned Principal District and Sessions Judge, Salem to take the Tr.C.M.P.on file and proceeded in accordance to law

Crl OP No.6414 of 2024

Mrs.A.Baby Rani

...Petitioner

Vs.

P.Sidhaiyan

...Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to setaside the returned docket order dated 19.02.2024



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made by the Learned Principal District and Sessions Judge at Salem in Tr.c.M.P.No.Sr.No.497/2024 and direct the Learned Principal District and Sessions Judge at Salem to take the Tr.C.M.P. on file and proceeded in accordance to law and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

In both OPs
For Petitioner : Mr.S.Parthasarathy

COMMON ORDER

These petitions have been filed challenging the docket order passed by the Court below refusing to entertain the present petitions filed by the petitioner seeking to transfer the case pending on the file of learned Judicial Magistrate II, Mettur to the learned Judicial Magistrate (Fast Track), Omalur.

2. Heard the learned counsel for the petitioner and carefully perused the materials available on record.

3. The petitioner had earlier filed a transfer petition with the very



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same cause of action and the transfer petition was dismissed by the Principal Sessions Judge, Salem. Hence, the three cases continued on the file of the learned Judicial Magistrate II, Mettur,. Just because, the learned Judicial Magistrate sought for a clarification on 23.01.2024 regarding the pending cases before the learned Judicial magistrate, Omalur, that does not give a fresh cause of action for the petitioner to once again rake up the same issue and seek for transfer. The Court below was perfectly right in not entertaining the transfer petition.

4. In the light of the above discussion, learned Judicial Magistrate II, Mettur, is directed to proceed further with the case and deal with the same on its own merits in accordance with law and pass judgment as expeditiously as possible. It is not necessary for the learned Magistrate to take into account the other connected cases pending since different cases have been filed on separate causes of action arising out of the dishonour of the cheques.



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5. These Criminal Original petitions are disposed of in the above terms.

15.03.2024

Index : Yes/No
Internet : Yes/No
Speaking Order : Yes/No
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To

1. Principal District and Sessions Judge, Salem
2. Judicial Magistrate II, Mettur J
3. Judicial Magistrate (Fast Track), Omalur.
4. The Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH,J

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