



WEB COPY



Crl.OP.No.10802 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.10802 of 2024

Vivek @ Vivekanandhan

... Petitioner

Vs.

A.D.Baskar

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to withdraw the case in CC.No.05 of 2022 on the file of the learned Judicial Magistrate No.1, Tiruvannamalai, Tiruvannamalai District and transfer the same to anyone of the file of the learned Judicial Magistrate available in the Ranipet District.

For Petitioner : M/s.G.Saravanan

ORDER

This Criminal Original Petition is filed to transfer the trial in C.C.No.05 of 2022 on the file of the learned Judicial Magistrate No.1, Tiruvannamalai, Tiruvannamalai District and transfer the same to any other Judicial Magistrate in the Ranipet District.



Crl.OP.No.10802 of 2024

2. According to the petitioner, the private complaint taken cognizance for the offence under Section 120B, 420, 294B and 506(i) of IPC by the learned Judicial Magistrate-I, Thiruvannamalai without territorial jurisdiction to try the case.

3. However, reading of the complaint and the sworn statement of the complainant namely A.D.Baskar, this Court finds the complainant is the resident of Arani Town within the Thiruvannamalai District and maintaining account in Indian Bank at Kalambur Branch which is also within Thiruvannamalai District. He had presented in his Bank the cheque given to him by the petitioner/accused and the same got returned. When he demanded the money, he was manhandled and attacked by the petitioner/accused. Hence, the complaint to the Arani Police Station on 11.03.2024 been lodged. The Police has not taken any action. He has resorted to the private complaint procedure. The Judicial Magistrate prima facie being satisfied the case to be taken cognizance, had issued the process and trial has commenced.

4. In the light of the above facts, there is no reasons to interfere in the trial on the ground that the Judicial Magistrate-I Thirvannamalai



Crl.OP.No.10802 of 2024

District lacks territorial jurisdiction particularly when the complaint discloses cause of action arose within the territorial jurisdiction of Judicial Magistrate-I Thirvannamalai District. Hence, this Criminal Original Petition is dismissed.

30.04.2024

Vv

To

1. The Judicial Magistrate No.1,
Tiruvannamalai,
Tiruvannamalai District
2. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



Crl.OP.No.10802 of 2024

Dr.G.JAYACHANDRAN,J.

Vv

Crl.OP.No.10802 of 2024

30.04.2024