



CrI.O.P.No.18977 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.18977 of 2024

V.Suresh

... Petitioner

Vs.

P.Saravanan

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to withdraw and transfer S.T.C.No.1132 of 2023 from the file of the Metropolitan Magistrate (FTC-III) Court at Saidapet Madras to the Judicial Magistrate Court at Gingee to be conducted trial along with S.T.C.No.319 of 2023 on the file of Judicial Magistrate, Gingee.

For Petitioner : Mr.P.Venkatesan

For Respondent : Mr.T.G.V.Ramanigopal

ORDER

This Criminal Original Petition is filed to transfer S.T.C.No.1132 of 2024 on the file of the Metropolitan Magistrate (FTC-III) Court, Saidapet, Chennai to the file of the Judicial Magistrate Court, Gingee, to be conducted along with S.T.C.No.319 of 2023 on the file of the Judicial Magistrate Court, Gingee.



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2. It is contended by the learned counsel for the petitioner that

S.T.C.No.1132 of 2023 on the file of the Metropolitan Magistrate (FTC-III) Court, Saidapet, Chennai and S.T.C.No.319 of 2023 on the file of the Judicial Magistrate Court, Gingee, are against the petitioner. The complainant in S.T.C.No.1132 of 2023 is one P.Saravanan, who is the resident of Villupuram and he is also stated to be a resident of Gingee Taluk. Therefore, there cannot be any difficulty for the complainant to conduct the case at Gingee.

3. Learned counsel for the respondent submits that the case which is pending at Judicial Magistrate Court, Gingee, is filed by one Prabu, which has nothing to do with the case on hand, whereas, the present complaint is filed at Metropolitan Magistrate (FTC-III) Court, Saidapet, Chennai, since the cause of action has arisen within the jurisdiction of Chennai Courts.

4. Transfer of case from one Court to another Court is not based on the convenience of the accused alone, it involves various other parameters. When the complainant in these two cases are different, just because the accused is the same person, the case cannot be transferred.



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Hence, this Criminal Original Petition is dismissed.

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Index : Yes/No

Neutral Citation : Yes/No

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Dr.G.JAYACHANDRAN, J.

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