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CRL OP No. 5015 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

CRL OP No. 5015 of 2025

AND

CRL MP NO. 3241 OF 2025

R.Jegadeesan

Petitioner

Vs

D.Esther Dhanapackiam

Respondent

PRAYER:- Criminal Original Petition filed under Sec.528 of B.N.S.S., praying to withdraw the case S.T.C. No.619 of 2023 from the file of Judicial Magistrate, Fast Track Court, Poonamalle, Thiruvallur District and transfer the same to any other competent court in and around Chennai District having jurisdiction to try the above case in the interest of Justice, equity and fair play

For Petitioner(s): Mr.S.Sasikumar



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ORDER

This Criminal Original Petition has been filed seeking transfer of the trial in STC No.619 of 2023 from the file of the Judicial Magistrate, Fast Track Court, Poonamallee, Thiruvallur District to any other competent Court.

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

3. The petitioner is an accused in a complaint lodged by the respondent and is facing trial in STC No.619 of 2023 for the offences under Section 138 of the Negotiable Instrument Act. The matter is now posted for questioning under Section 313 of Cr.P.C. The only ground raised by the petitioner is that second respondent allegedly threatened the petitioner and his counsel from attending the trial proceedings. In this regard, the petitioner lodged a complaint.



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4. A perusal of the records reveals that there is indication that the

Trial Court has taken cognizance of any complaint regarding the alleged threat.

In fact, the petitioner sought adjournments during the examination and cross examination of P.Ws.1 & 2. Though sufficient opportunities were given to the petitioner, he failed to cross examine P.Ws.1 & 2. Now, the matter is posted for questioning under Section 313 of Cr.P.C.

5. In view of the above, this Court finds no ground to transfer the trial in STC No.619 of 2023 from the file of the Judicial Magistrate, Fast Track Court, Poonamallee, Thiruvallur to any other competent Court. Accordingly, this Criminal Original Petition stands dismissed. However, the Trial Court is directed to complete the trial within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

24-02-2025

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Index: Yes/No

Speaking/Non-speaking order



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The Judicial Magistrate, Fast Track Court,
Poonamallee, Thiruvallur District.



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G.K.ILANTHIRAIYAN J.

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