



Crl.O.P.No. 5186 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 5186 of 2025

and

Crl.M.P.No.3356 of 2025

R.Jegadeesan

..... Petitioner

Vs

S.N.Catering
Rep By Its Proprietor,
N.Vedagiri,
No.14, First Street,
Green City,
Paruthipattu,
Chennai-600 071.

..... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to withdraw the case in STC No.889 of 2023 from the file of Learned Judicial Magistrate, Fast Track Court, Poonamallee, Thiruvallur District and transfer the same to any other competent court in and around Chennai District having jurisdiction to try the above case.

For Petitioner : Mr.S.Sasikumar



CrI.O.P.No. 5186 of 2025

ORDER

This Criminal Original Petition has been filed seeking

transfer of trial in STC No.889 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 for the offences punishable under Section 138 of Negotiable Instruments Act. Now, the matter is posted for arguments. At this stage, the petitioner has filed the present petition seeking transfer of trial on the ground that the complainant and his advocates allegedly interfering with or obstructing any advocate from appearing on behalf of the petitioner. In this regard, the petitioner filed a memo on 20.02.2025 before the Trial Court. However, there is absolutely no proof to show that he filed his memo before the Trial Court. That apart, it is noted that the petitioner was absent before the Trial Court on 14.02.2025 and had filed an application seeking condonation of such absence and the same was allowed. Therefore, this Court finds no grounds to transfer of trial that too in the stage of argument.



CrI.O.P.No. 5186 of 2025

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4. In view of the above, this Criminal Original Petition stands dismissed. However, the Trial Court directed to take appropriate action, if any complaint is lodged as against the counsel appearing for the complainant and if any complaint is received from the petitioner in this record, on the complaint in accordance with law. Consequently, connected miscellaneous petitioner is closed.

25.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

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



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Crl.O.P.No. 5186 of 2025

G.K.ILANTHIRAIYAN, J.

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