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CrI.O.P.No. 7256 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM:

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

CrI.O.P.No. 7256 of 2023
and
CrI.M.P.Nos.4595 and 4596 of 2023

Dharmalingam Petitioner

Vs

A.Natarajan Respondent

PRAYER: Criminal Original Petition is filed under Section 407 of Code of Criminal Procedure, to withdraw the STC.No.230 of 2021 on the file of the Judicial Magistrate No.II at Mettur, Salem District and transfer the same to the Judicial Magistrate No.I at Karur, Karur District.

For Petitioner : Mr.D.Magesh

ORDER

This Criminal Original Petition has been filed seeking transfer of the trial in STC No.230 of 2021 from the file of the Judicial Magistrate No.II, Mettur, Salem District to the file of the Judicial Magistrate No.I, Karur.

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



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3. The petitioner is an accused in the complaint lodged by

the respondent in STC No.230 of 2021 on the file of the Judicial Magistrate No.II, Mettur, Salem District. Even before filing this petition seeking transfer of trial, the petitioner was absent before the Trial Court and as such, a non-bailable warrant was issued as against the petitioner and is still pending. While non-bailable warrant remains pending, the petitioner is not entitled to any relief before this Court.

4. In view of the above, the prayer sought for in this petition cannot be considered. Accordingly, this Criminal Original Petition stands dismissed. However, the petitioner is at liberty to recall the warrant in the manner known to law. Consequently, connected miscellaneous petitions are closed.

05.02.2025

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

1. The Judicial Magistrate No.II,
Mettur, Salem District.

2. The Judicial Magistrate No.I,
Karur, Karur District.

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