



Crl.O.P.Nos.8195, 8198 and 8199 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 20.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

**Crl.O.P.Nos.8195, 8198 and 8199 of 2025
and
Crl.M.P.Nos.5353, 5356 and 5358 of 2025**

In Crl.O.P.No.8195 of 2025:

Mr.Kandasamy ... Petitioner
Versus

1.The Deputy Superintendent of Police (DSP)
Q – Branch, CID Madurai,
Madurai.

2.The Inspector of Police,
Q – Branch CID, Salem. ... Respondents

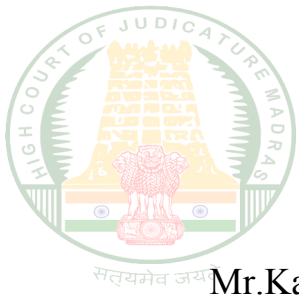
In Crl.O.P.No.8198 of 2025:

Mr.Kandasamy ... Petitioner
Versus

1.The Deputy Superintendent of Police (DSP)
Q – Branch, CID Madurai,
Madurai.

2.The Inspector of Police,
Q – Branch CID,
4, Bharathidasan Street, Teachers Colony,
Erode – 11. ... Respondents

In Crl.O.P.No.8199 of 2025:



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Mr.Kandasamy
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Versus

... Petitioner

1.The Deputy Superintendent of Police (DSP)
Q – Branch, CID Madurai, Madurai.

2.The Inspector of Police,
Q – Branch CID, Thirupattur.

... Respondents

Prayer in Crl.O.P.No.8195 of 2025 : Criminal Original Petition is filed under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to withdraw the case in C.C.No.195 of 2021 on the file of the learned Judicial Magistrate – II, Omalur, Salem, and transfer the same to the file of the Learned Judicial Magistrate – IV, Madurai, to conduct Joint trial along with the case in C.C.No.1503 of 2022 on the file of the Learned Judicial Magistrate – IV, Madurai.

Prayer in Crl.O.P.No.8198 of 2025 : Criminal Original Petition is filed under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to withdraw the case in C.C.No.439 of 2021 on the file of the learned Judicial Magistrate – II, Erode, and transfer the same to the file of the Learned Judicial Magistrate – IV, Madurai, to conduct Joint trial along with the case in C.C.No.1503 of 2022 on the file of the Learned Judicial Magistrate – IV, Madurai.

Prayer in Crl.O.P.No.8199 of 2025 : Criminal Original Petition is filed under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to withdraw the case in C.C.No.51 of 2022 on the file of the learned Judicial Magistrate – I, Thirupathur, and transfer the same to the



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file of the Learned Judicial Magistrate – IV, Madurai, to conduct Joint trial along with the case in C.C.No.1503 of 2022 on the file of the Learned Judicial Magistrate – IV, Madurai.

Appearance in all cases:

For Petitioner : Mr. K.Vasanthanayagan

For Respondents : Mr. A. Gopinath,
Government Advocate (Criminal Side)

COMMON ORDER

All these petitions have been filed to transfer all the cases pending against the petitioner to the file of the learned Judicial Magistrate-IV, Madurai, for conducting a joint trial.

2. Since the prayer sought for in these petitions is one and the same, these cases are taken up together for disposal.

3. In Crl.O.P.No.8195 of 2025, the petitioner is arrayed as accused/A5 in C.C.No.195 of 2021, on the file of the learned Judicial Magistrate -II, Omalur, Salem, for the offences under Sections 120B, 420, 465, 468, 471 of the Indian Penal Code, (IPC), 1860 and Sections 12(1A)(a), 12(1A)(b), 12(2) of Passport Act, 1967, in Crime No.1 of 2019, registered on the file of the second respondent Police.

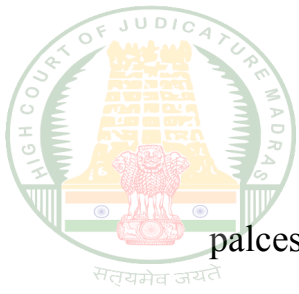


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WEB COPY 4. In Crl.O.P.No.8198 of 2025, the petitioner is arrayed as accused/A11 in C.C.No.439 of 2021, on the file of the learned Judicial Magistrate -II, Erode for the offences under Sections 218, 109, 201, 471, 120B, 419, 420, 465 and 468 of IPC., Section 12(1)(b), 12(3), 12(4), 12(1A)(a), 12(1A)(b) and 12(2) of the Passport Act, 1967, and Section 14(a)(b) of the Foreigners Act, 1946, in Crime No.1 of 2019 registered on the file of the second respondent Police.

5. In Crl.O.P.No.8199 of 2025, the petitioner is arrayed as accused/A6 in C.C.No.51 of 2022, on the file of the learned Judicial Magistrate-I, Thirupathur, for the offences under Sections 120B, 420, 465, 468, 471, 419 and 109 of IPC., and Sections 12(1A)(a), 12(2) and 12(1)(b) of Passport Act, 1967, in Crime No.1 of 2019 registered on the file of the second respondent Police.

6. The learned counsel for the petitioner submitted that the subject matter is one and the same in all the cases, and the occurrence took place only at Madurai. However, the cases were registered separately in various



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palces, namely, Erode, Salem, Thirupathur and Madurai, based on the report of the jurisdictional station officer. Already a charge sheet has filed in connection with the Crime No.1 of 2019 by the Q-Branch CID, Madurai, and the same has been taken on file in C.C.No.1503 of 2022 by the learned Judicial Magistrate – IV, Madurai. Therefore, he prays to transfer all the three cases before the learned Judicial Magistrate – IV, Madurai for conducting joint trials.

7. The learned Government Advocate (Criminal Side) appearing for the respondents submitted that there are several cases at various jurisdictional Courts pending against the petitioner. More particularly, in C.C.No.439 of 2021, pending before the Judicial Magistrate-II, Erode, 133 witnesses were examined and a “Non Bailable Warrant” (NBW) has also been issued as against the accused, and it was posted on 13.03.2025. In C.C.No.195 of 2021, pending before the Judicial Magistrate - II, Omalur, there are totally 15 witnesses, and out of which 4 witnesses have been examined, and it was posted on 25.03.2025. In yet another case in C.C.51 of 2022, 4 witnesses have been examined and the next hearing date of that case is on 24.03.2025. Further, he submitted that the petitioner is an habitual offender. Therefore, he prayed for dismissal of



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the petition.

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8. Heard the learned counsel appearing on either side and perused the materials available on record.

9. Upon considering the submissions made by the learned Government Advocate (Criminal Side), it is revealed that the petitioner is already facing trials in various jurisdictions for several cases for different offences committed by him. At this stage, the trials cannot be transferred to one place in Madurai, and it would cause more inconvenience to the victim as well as the other witnesses. Therefore, this Court is not inclined to transfer the cases as prayed for by the petitioner.

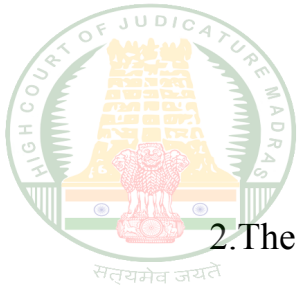
10. With the above observations, these Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are also closed.

20.03.2025

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

1.The Judicial Magistrate – II, Omalur, Salem.



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2.The Judicial Magistrate – II, Erode.

WEB COPY 3.The Judicial Magistrate – I, Thirupathur.

4.The Judicial Magistrate – IV, Madurai.

5.The Deputy Superintendent of Police (DSP)
Q – Branch, CID Madurai, Madurai.

6.The Inspector of Police, Q – Branch CID, Salem.

7.The Inspector of Police, Q – Branch CID,
4, Bharathidasan Street, Teachers Colony, Erode – 11.

8.The Inspector of Police, Q-Branch CID, Thirupathur.

9.The Public Prosecutor, High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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and
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