



CrI. O.P. No. 10281 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI. O.P. No. 10281 of 2025

and

CrI.M.P.Nos.6862 and 6864 of 2025

K. Durairaj
S/o.Karuppaiya,
No.72, Bharathi Nagar Extension,
Sipcot Post, Ranipet Walaja Taluk,
Ranipet District.

... Petitioner

Vs

Jayaprasad
S/o.Govindarajulu
Plot No.37, Ammal Apartments, 1st Cross,
Flat S2, Chrompet, Chandran Nagar,
Kanchipuram – 600 044.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 447 of the Bharatiya Nagarik Suraksha Sanhita, 2023 to withdraw the case in S.T.C.No.520 of 2023 on the file of the learned District Munsif Court-cum-Judicial Magistrate at Pallavaram, and transfer the case to the learned District Munsif-cum-Judicial Magistrate, Ranipet, in the interest of justice.

For Petitioner : Mr. K. Venkatasubban

ORDER



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This Criminal Original Petition has been filed for transfer of entire trial in S.T.C.No.520 of 2023 from the file of the District Munsif Court cum Judicial Magistrate Court, Pallavaram to the file of District Munsif cum Judicial Magistrate, Ranipet.

2. The petitioner is an accused in the complaint lodged by the respondent for the offence punishable under Section 138 of Negotiable Instruments Act.

3. Learned counsel for the petitioner would submit that the petitioner is a physically challenged person with disability of 65%. Therefore, he could not able to attend the trial Court.

4. The petitioner being an accused cannot sought for transfer that too on the ground of medical fitness. However, the personal appearance of the petitioner before the trial Court is dispensed with and he shall be represented by a counsel after filing appropriate application. However, the petitioner shall be present before the Court at the time of furnishing of copies, framing charges, questioning under Section 351 of BNSS and at the time of passing judgment.



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The trial Court is directed to complete the trial within a period of six months from the date of receipt of copy of this order.

5. With the above direction, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petitions are closed.

07.04.2025

Index: Yes/No

Neutral Citation : Yes/No

AT

To

1. The District Munsif Court-cum-Judicial Magistrate at Pallavaram.
2. The District Munsif-cum-Judicial Magistrate, Ranipet.



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G.K.ILANTHIRAIYAN. J,

AT

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