



Crl.O.P.No.11141 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2025

CORAM:

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

Crl.O.P.No.11141 of 2023
and Crl.M.P.Nos.7016 & 7017 of 2023

Subramani

... Petitioner

Vs.

Dhanasekar

... Respondent

Prayer: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to withdrawn the S.T.C.No.460 of 2021, pending on the file of Judicial Magistrate Court, Paramathy, Namakkal District and to transfer the same to the file of Fast Track Court No.1 at Magisterial level, Erode to try along with S.T.C.No.163 of 2021.

For Petitioner : Mr.C.S.Saravanan

For Respondent : Mr.M.Karthik

ORDER

This petition has been filed to transfer the case in S.T.C.No.460 of 2021, from the file of Judicial Magistrate Court, Paramathy, Namakkal, to the file of Fast Track Court No.1 at Magisterial level, Erode, to try along with S.T.C.No.163 of 2021.



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2. The petitioner is an accused in the complaint lodged by the respondent in S.T.C.No.460 of 2021 for the offence under Section 138 of Negotiable Instruments Act. The only ground raised by the petitioner seeking transfer of case is that already another complaint is pending in S.T.C.No.163 of 2021 on the file of the o the file of Fast Track Court No.1 at Magisterial level, Erode.

3. On perusal of both the complaints, the complainants are different. Further the petitioner is being an accused, he cannot choose the trial Court that too on the complaint lodged by the complainant. This Court finds no ground to transfer the case. However, the trial Court viz., Judicial Magistrate Court, Paramathy, Namakkal, is directed to complete the trial in S.T.C.No.460 of 2021 within a period of six months from the date of receipt of a copy of this Order.

4. Accordingly, the Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

03.02.2025

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



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To

1. The Judicial Magistrate Court,
Paramathy, Namakkal District.



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G.K.ILANTHIRAIYAN, J.

rts

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