

Crl.O.P.(MD)Nos.548 ad 552 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2025

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)Nos.548 and 552 of 2025

V.Sandal Muthuraj

... Petitioner in both cases

Vs.

Y.Thankadurai

... Respondent in both cases

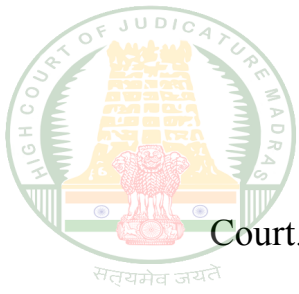
COMMON PRAYER : Criminal Original Petitions filed under Section 528 of B.N.S.S., to transfer the case in S.T.C.Nos.42 and 7 of 2023 on the file of the Additional District Munsif, Valliyoor, Tirunelveli District and to transfer the same to the file of the Judicial Magistrate at Nagercoil, Kanniyakumari District.

In both petitions:

For Petitioner : Mr.G.Aravinthan
for Mr.Aran Legal Consultancy

COMMON ORDER

The petitioner as a complainant has filed cases under Section 138 of the Negotiable Instrument Act against the respondent in STC No.42 and 7 of 2023 before the learned Additional District Munsif, Valliyoor, Tirunelveli District. The respondent is a practicing Advocate in Valliyoor



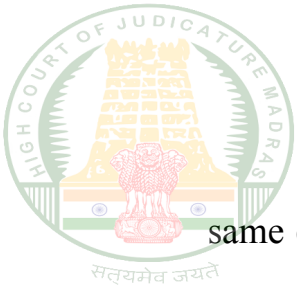
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Court. The petitioner initially, faced no threat and he was able to file the complaint and gave his sworn statement and proceed in the trial. The trial court has passed a conditional order directing the petitioner to pre-deposit sum of Rs.3,60,000/- and Rs.4,00,000/- respectively in both the cases being the cheque amount. Thereafter, the respondent started to threaten the petitioner and also the advocates are restraining the petitioner. Added to it, the Presiding Officer in Additional Mahila Court, Valliyoer is on training. Hence, the petitioner has to appear before the trial court on all hearing dates and on that date, the petitioner is being threatened. Hence, the petitioner seeks to transfer of the cases.

2.Now the petitioner limits his prayer in this case that the case can be transferred to the learned Judicial Magistrate, Valliyoer with a direction to conclude the trial within the stipulated time.

3.In view of the limited prayer sought for by the petitioner, notice to the second respondent is dispensed with.

4.Considering the submission and the limited prayer of the petitioner to transfer the case from the Additional District Munsif Court, Valliyoer to the Judicial Magistrate Court, Valliyoer, which is within the



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same campus and conclude the trial within the limited period, this Court directs the Additional District Munsif Court, Valliyoor to transfer the case in S.T.C.Nos.7 and 42 of 2003 to the Judicial Magistrate Court, Valliyoor and conclude the trial of the case within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, these Criminal Original Petitions are disposed of.

10.01.2024

NCC : Yes / No
Index : Yes / No
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To

- 1.The Additional District Munsif,
Valliyoor, Tirunelveli District.
- 2.The Judicial Magistrate, Valliyoor.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR, J.

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