



Crl.O.P.(MD)No.12244 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12244 of 2025

and

Crl.M.P.(MD)No.9487 of 2025

Thanga. Subramanian

... Petitioner

versus

T.Selvarani

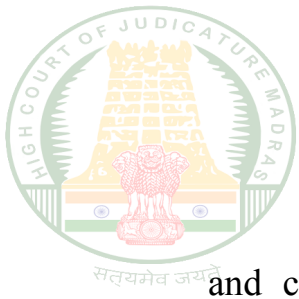
...Respondent

Prayer : Criminal Original Petition filed under Section 447 of BNSS, to withdraw C.A.No.161 of 2023 from the Additional Sessions Court at Kumbakonam and transfer the case to learned Principal Sessions Court or any other Court in Thanjavur District.

For Petitioner : Mr.A.Jagadeesan

ORDER

The petitioner is the accused in S.T.C.No.226 of 2019 on the file of the District Munsif cum Judicial Magistrate, Thiruvudaimarudhur. After the trial, the trial Court, by its Judgment dated 05.06.2023, found the petitioner guilty for the offence under Section 138 of the Negotiable Instruments Act



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and convicted and sentenced him to undergo one year simple imprisonment and to pay the cheque amount of Rs.2,00,000/- to the complainant towards compensation. Challenging the Judgment of conviction, the petitioner has preferred a criminal appeal in C.A.No.161 of 2023 before the Additional Sessions Court, Kumbakonam. Thereafter, the petitioner has also filed a petition under Section 448 of BNSS seeking transfer of the case in C.A.No. 161 of 2023 from the file of the learned Additional Sessions Court, Kumbakonam to the Principal Sessions Court, Thanjavur or to any of the Additional Sessions Court, Thanjavur. The said petition was dismissed by the learned Principal Sessions Judge, Thanjavur, by order dated 22.01.2025. Therefore, the petitioner is before this Court.

2. The learned counsel appearing for the petitioner submits that the petitioner is suffering from heart ailment, for which, he is also taking treatment at Apex Hospital, Adishesan Nagar, Thanjavur and therefore, he is unable to travel from Thanjavur to Kumbakonam. Therefore, the criminal appeal has to be transferred from the file of the learned Additional Sessions Court, Kumbakonam to the Principal Sessions Court, Thanjavur or to any of the Additional Sessions Court, Thanjavur.



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3. Heard the learned counsel appearing for the petitioner.

4. Though the petitioner claims that he is a heart patient, for which, he is taking treatment at Apex Hospital, Adishesan Nagar, Thanjavur and therefore, he could not travel from Thanjavur to Kumbakonam, there is no medical records placed before this Court to prove the same. Further, there is no sufficient reason explained by the petitioner to transfer the case. On the medical ground alone, this Court is not inclined to entertain this petition.

5. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

21.07.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

1. The Additional Sessions Court,
Kumbakonam.



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B.PUGALENDHI, J.

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