



WEB COPY

CRL OP No. 5574 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 5574 of 2026
and Crl.M.P.Nos.4201 and 4202 of 2026

V.A.Balamurugan
(Proprietor of M/s.Bala Distributor)

..Petitioner

Vs

B.Gayathri

..Respondent

PRAYER: The Criminal Original Petition filed under Section 528 r/w. 447 of BNSS, 2023, praying to grant an order of transfer of the STC No.83 of 2025, pending on the file of the learned Judicial Magistrate, Fast Track Court, Hosur, to the file of the learned Judicial Magistrate, Fast Track Court, Ambattur or any other competent Court.

For Petitioner : Mr.N.Ramesh

ORDER

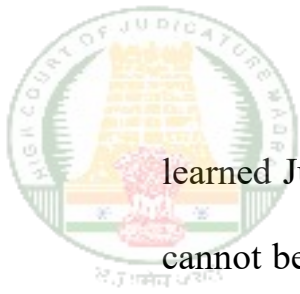
The present Criminal Original Petition has been filed to grant an order of transfer of the STC No.83 of 2025, pending on the file of the learned Judicial Magistrate, Fast Track Court, Hosur, to the file of the learned Judicial Magistrate, Fast Track Court, Ambattur or any other competent Court.



2. The petitioner, who is an accused in a case under Section 138 of the Negotiable Instruments Act filed by the respondent, facing trial in S.T.C.No.83 of 2026 pending before the learned Judicial Magistrate, Fast Track Court, Hosur. The primary contention of the petitioner is that the petitioner had fallen on his own on 21.09.2023 and sustained fracture in his hip. He took treatment in I.K.Hospitals, Anna Nagar, Chennai as in-patient from 21.09.2023 to 27.09.2023. In the meanwhile, he also underwent a surgery. He further submit that due to medical compulsion, he is unable to attend the trial Court. The learned counsel for the petitioner fairly submitted that for the non-appearance of the petitioner, NBW was issued and he had appeared before the trial Court and the same was recalled during February, 2026. Now, the case is at trial stage and for this reason he seeks transfer of the case from Hosur to Ambattur, Chennai.

3. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

4. The submission of the learned counsel for the petitioner that due to fracture suffered in his hip, the petitioner was hospitalised from 21.09.2023 to 27.09.2025, he could not travel from Chennait to Hosure to attend the trial. Therefore, he seeks transfer of the case in S.T.C.No.83 of 2025 from the file fo the learned Judicial Magistrate, Fast Track Court, Hosur, to the file of the



learned Judicial Magistrate, Fast Track Court, Ambattur, Chennai. Such a plea cannot be entertained. However, the petitioner can file a petition under Section 202 Cr.P.C. before the trial Court along with medical records and the trial Court shall favourably consider the same. The petitioner can also participate the trial through virtual mode.

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

04-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRM

To

The Judicial Magistrate,
Fast Track Court,
Hosur,



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M.NIRMAL KUMAR, J.

SRM

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