



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 10613 of 2026

and

CrI.M.P.No.7688 of 2026

Sakthivel

Petitioner(s)

Vs

Jeyakodi

Respondent(s)

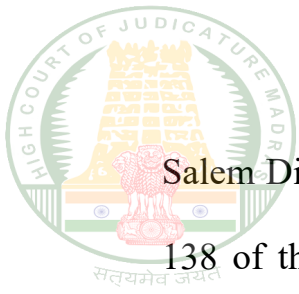
PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to transfer the case in STC.No.133 of 2025 on the file of the Judicial Magistrate Fast Track Court, Attur, Salem District to learned Fast Track Court, Trichy.

For Petitioner(s): Ms.C.Ezhilarasu

ORDER

This Criminal Original Petition has been filed, seeking to transfer the case in STC.No.133 of 2025 on the file of the Judicial Magistrate Fast Track Court, Attur, Salem District to learned Fast Track Court, Trichy.

2. The petitioner, who is the accused facing trial in S.T.C.No.133 of 2025 pending on the file of the learned Judicial Magistrate, Fast Track Court, Attur,



Salem District, arising out of a complaint filed by the respondent under Section 138 of the Negotiable Instruments Act, has filed the present petition, seeking

transfer of the said case from the Judicial Magistrate Fast Track Court, Attur, Salem District to the Fast Track Court, Trichy, for the reason that the petitioner's life would be under threat if he is to appear before the learned Judicial Magistrate Fast Track Court, Attur.

3. The learned counsel for the petitioner further submitted that, the petitioner had earlier entered appearance before the trial Court through his advocate by filing a vakalat and had also appeared before the trial Court, Attur. At that time, the respondent and one Chitra allegedly threatened the petitioner with dire consequences. Thereafter, the petitioner filed Crl.O.P.No.25740 of 2025 before this Court, seeking police protection for his life and limb. Pursuant thereto, this Court directed the police to enquire into the petitioner's complaint and, if any cognizable offence is made out, the respondent police is directed to proceed in accordance with law.

4. The learned counsel for the petitioner further submitted that, on one occasion when the petitioner appeared before the trial Court, he was allegedly surrounded by 10 persons who threatened him. Hence, the petitioner has filed



the present petition seeking transfer of the case.

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5. Heard the learned counsel for the petitioner and also perused the materials available on record.

6. On consideration of the submission made and upon perusal of the materials available on record, it is seen that, except for a bald allegation contained in paragraph 5 of the affidavit filed in support of this petition, stating that 10 persons surrounded the petitioner and threatened him, no supporting materials produced. There is nothing to show that any complaint was lodged before the learned Magistrate or before the jurisdictional police, Attur regarding the alleged incident. Further, it is not known what steps were taken by the petitioner pursuant to the order passed in Crl.O.P.No.25740 of 2025, is also not known. It is also seen that the petitioner is defended by counsel and that the case is one under Section 138 of the Negotiable Instruments Act. In such case, the personal presence of the accused is not necessary for all hearing dates, he can very well defend the case through his counsel, it is only a summon procedure. The affidavit and the materials placed on record does not contain any particular details, except sweeping allegations. In such circumstances, this Court is not inclined to entertain the present petition.



7. Accordingly, this Criminal Original Petition stands dismissed.

Consequently, connected Miscellaneous Petition is closed.

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Jd

Neutral Citation: Yes/No

To

1. Judicial Magistrate Fast Track Court, Attur,
Salem District.
2. The Learned Fast Track Court, Trichy.



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M.NIRMAL KUMAR J.
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