



CRL OP(MD). No.16989 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12/06/2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.16989 of 2023

and

CRL MP(MD) No.13502 of 2023

M.Rajendran

... Petitioner

Vs

1. The State through
The Inspector of Police,
Cantonment Police Station,
Trichy District.
Crime No.782 of 2015.

2. Agnelrajan

3. Sureshkumar

... Respondents

PRAYER :-

To withdraw and transfer the CC.No.277 of 2016 (Crime No.782 of 2015 on the file of the 1st Respondent Police) pending on the file of the learned Judicial Magistrate No.II, Trichy to file of the learned Judicial Magistrate, Kulithalai, Karur District.



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For Petitioner : Mr.A.P.Muthupandian
Advocate.

For R-1 : Mr.N.Balasubramanian,
Government Advocate (Crl.Side)

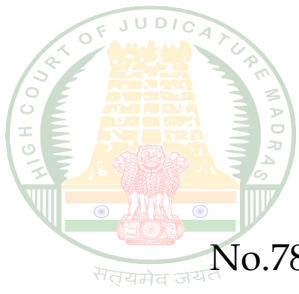
For R-2 : No appearance

For R-3 : Mr.R.Maheswaran

ORDER

This petition has been filed by the petitioner to transfer the case in C.C.No.277 of 2016 on the file of the learned Judicial Magistrate No.II, Trichy to file of the learned Judicial Magistrate, Kulithalai, Karur District.

2. According to the petitioner, he is the defacto complainant in this case. Based on the complaint, the case in Crime No.782 of 2015 for the offences under Sections 294(b), 323, 392 and 506(i) of IPC has been registered. Thereafter, the first respondent police has filed final report and based on the final report, now C.C.No.277 of 2016 is pending before the learned Judicial Magistrate No.II, Trichy. The counter case is also registered as against the petitioner based on the complaint lodged by the respondents herein in Crime



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No.781 of 2015 and the same was pending in C.C.No.287 of 2016 on the file of the learned Judicial Magistrate No.II, Trichy. Thereafter, both the parties have approached this Court for quash of the pending proceedings in CrI.O.P.(MD) Nos.13291 of 2018 and 884 of 2019 and the same were dismissed simultaneously.

3. Another petition was filed in CrI.O.P.(MD) No.19086 of 2016 by the defacto complainant herein to transfer the case in C.C.No.287 of 2016 from learned Judicial Magistrate No.II, Trichy to learned Judicial Magistrate, Kulithalai, Karur District and the same was allowed by transferring the case from the learned Judicial Magistrate No.II, Trichy to the learned Judicial Magistrate, Manapparai. Since the previous case in C.C.No.287 of 2016 was transferred to the learned Judicial Magistrate, Manapparai, this case also has to be transferred to the same Court as per the dictum laid down by the Hon'ble Supreme Court in *Nathilal vs. State of Uttar Pradesh reported in 1990 SCC (Cri) 638*. Therefore, he filed this petition.



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4. The respondents also admitted the pendency of the case in C.C.No.277 of 2016 on the file of the learned Judicial Magistrate-II, Trichy and the counter case which was transferred to the learned Judicial Magistrate, Manapparai and both the cases are arising out of same occurrence. However, already this Court dismissed to quash the petitions and transferred one of the case to the learned Judicial Magistrate, Manapparai. The respondents formally raised objections on the ground that the case is pending for more than 10 years and only to delay the proceedings, this petition has been filed.

5. This Court has heard both sides and perused the records.

6. Since both the cases are arising out of the same occurrence, as per dictum laid down by the Hon'ble Supreme Court in *Nathi Lal's* case (cited supra), both the cases have to be tried by the same Court simultaneously and one of the case already transferred to



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the learned Judicial Magistrate, Manapparai is also still pending at the stage of appearance of accused. Hence, it is appropriate to transfer the case to the same Court.

7. Accordingly this petition is allowed and the case in C.C.No.277 of 2016 pending on the file of the learned Judicial Magistrate-II, Trichy, is transferred to the learned Judicial Magistrate, Manapparai for simultaneous disposal along with the counter case in C.C.No.287 of 2016.

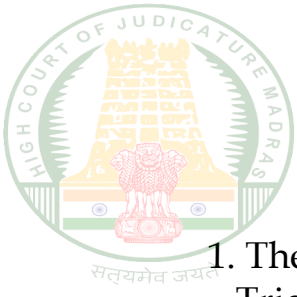
8. The learned Judicial Magistrate, Manapparai, is directed to complete the trial without any delay as early as possible within a period of six (6) months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

12.06.2026

APD

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1. The Judicial Magistrate No.II,
Trichy.
2. The Judicial Magistrate
Manapparai.
3. The Inspector of Police,
Cantonment Police Station,
Trichy District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

P. DHANABAL,J

APD

ORDER
IN
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