

CRL.OP.Nos.19224 & 19135 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.OP.Nos.19224 & 19135 of 2026
and CRL.MP.Nos.12779 & 12741 of 2026

1. Palanisamy ..Petitioner is both OPs
2. Ettiyannan
3. Gowri
4. Muthu ..Petitioners in
CRL.OP.No.19224/2026

Vs.

State Rep. by the Inspector of Police,
All Women Police Station,
Attur, Salem District.
(Crime No.30 of 2022)

..Respondent in Crl.OP.No.19224/2026

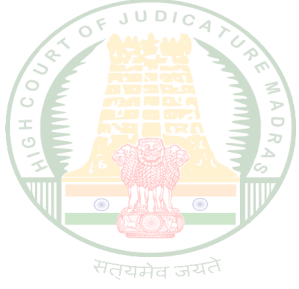
Kalaiyarasi

..Respondent in Crl.OP.No.19135/2026

Common Prayer: Criminal Original Petitions filed under Section 528 of BNSS, praying to set aside the orders dated 15.06.2026 passed in Tr.C.M.P.Nos.3174 of 2025 and 194 of 2026 respectively by the learned Principal Sessions Judge, Salem.

For Petitioner(s):
(in both OPs)

Mr.G.Krishnamurthy



CRL.OP.Nos.19224 & 19135 of 2026

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For Respondent(s):
(in Crl.OP.No.19224/2026)

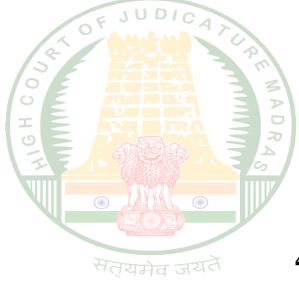
Mr.R.Rajasekaran,
Counsel for Government of Tamil Nadu
(Crl.Side)

COMMON ORDER

The prayers made in these criminal original petitions are to set aside the order dated 15.06.2026 passed in Tr.C.M.P.Nos.3174 of 2025 and 194 of 2026 respectively, by the learned Principal Sessions Judge, Salem.

2. The prayer sought in this petition is innocuous in nature, and as such, this petition is being disposed of at the admission stage itself, without ordering notice to the private respondent.

3. By the underlying applications, the petitioners sought to transfer the cases in C.C.No.203 of 2024 and D.V.C.No.6 of 2023 respectively, pending on the file of the Judicial Magistrate Court No.II, Attur, to any other Judicial Magistrate. The primary ground on which the transfers are sought is an allegation of bias against the learned Presiding Officer.

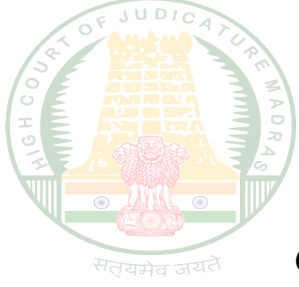


CRL.OP.Nos.19224 & 19135 of 2026

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4. Mr.G.Krishnamurthy, learned counsel for the petitioners, submitted that the petitioners had earlier approached this Court challenging an order passed in a connected domestic violence proceeding, which was subsequently set aside. He further contended that during those domestic violence proceedings, the learned Judicial Magistrate allegedly remarked that unless the first petitioner clears the maintenance arrears, the Court would ensure that the criminal case pending in C.C.No.203 of 2024 would be appropriately disposed of. Apprehending bias on these grounds, the transfer applications were moved. The learned Principal Session Judge, upon considering the entire matter, held that casual remarks made by a Trial Judge during the course of proceedings cannot be treated as a reasonable ground to apprehend bias and consequently, dismissed the applications. The learned counsel further submitted that when an order is set aside by an appellate or revisional forum, the concerned Presiding Officer naturally tends to carry a grudge.

5. Heard the submissions made by the learned counsel for the petitioners and perused the materials available on record.



CRL.OP.Nos.19224 & 19135 of 2026

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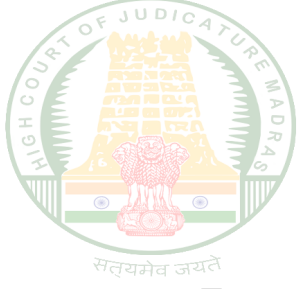
6. In the judicial system, orders passed by subordinate fora are routinely set aside or modified by higher courts. It is the absolute right of an aggrieved party to challenge an order before a higher forum and such recourse does not create any personal animosity or grudge in the mind of a Presiding Officer. An apprehension of this nature cannot be deemed reasonable, rather, it is merely a misplaced perception of the petitioners. Presiding Officers are judicially trained to dispassionately consider matters strictly on their merits, completely uninfluenced by the fact that a previous order passed by them was challenged or set aside in appeal.

7. In view of the above, finding no infirmity or illegality in the orders of the learned Principal Sessions Judge, Salem, dated 15.06.2026 passed in Tr.C.M.P.Nos.3174 of 2025 and 194 of 2026, these criminal original petitions are devoid of merits and stand disposed of. Connected miscellaneous petitions are closed.

20-07-2026

Neutral Citation: Yes

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CRL.OP.Nos.19224 & 19135 of 2026

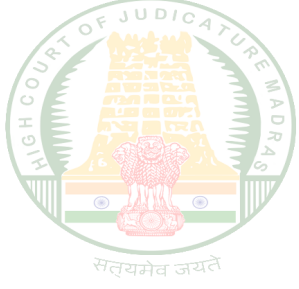
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To

1.Principal Sessions Judge,
Salem.

2.The Inspector of Police,
All Women Police Station,
Attur, Salem District.

3.The Public Prosecutor,
High Court of Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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