

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.10483 of 2015
and M.P.No.1 of 2014

1.Murugesan
2.Kamalammal
3.Alamelu
4.Chitra
5.Jaya

... Petitioners

-VS-

1.Revathi
2.Ayyanar
3.Monishkumar

... Respondents

Prayer: Criminal Original petition filed under Section 407(1)(c) of Criminal Procedure Code, to withdraw and transfer the complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in M.C.No.2 of 2014 on the file of the District Munsif-cum-Judicial Magistrate at Vanoor, in Villupuram Sessions division to any other competent jurisdiction either in Chennai or in Kancheepuram District for trial.

For Petitioners : Mr.T.Raghavan

ORDER

This petition has been filed seeking to transfer the proceedings in M.C.No.2 of 2014, pending on the file of the District Munsif cum Judicial Magistrate, Vanoor. The petitioners are facing trial before the Court below under Domestic Violence Act.

N.ANAND VENKATESH, J.,

rpl

2 The proceedings were initiated in the year 2014 and the same is being kept pending till date.

3 The transfer has been sought for only on the ground that the respondents are influential persons and the petitioners will not be in a position to get a fair trial before the Court below.

4 The transfer cannot be ordered merely based on apprehension. This Court does not see any ground to transfer the proceedings at this length of time.

5 Hence, this Criminal Original Petition is disposed of with a direction to the Court below to complete the proceedings within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is also closed.

Index:Yes/No

rpl

To

The District Munsif cum Judicial Magistrate,
Vanoor, Villupuram.

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