

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP.Nos.13624 and 7785 of 2015

AnishaPetitioner in both CrIOPs

Vs

State rep.by

1.The Commissioner of Police,
Vepery, Chennai.

2.The Assistant Commissioner of Police,
Tambaram Range,
West Tambaram,
Chennai-600 045.

3.The Inspector of Police,
Tambaram Police Station,
West Tambaram,
Chennai-600 045.

...Respondents
in CrIOP No.13624 of 2015

1.B.Surendrababu

2.B.Nagarathinam @ Nagarathinammal

3.B.Prasad

4.C.H.Venkatadhri

5.Girija

...Respondents

in CrIOP No.13624 of 2015

Prayer in CrIOP No.13624 of 2015:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 3rd respondent to register a case on the petitioner's complaint dated 22.05.2015.

Prayer in CrIOP No.7785 of 2015:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to transfer the DV No.38 of 2014 pending on the file of the learned Judicial Magistrate, Tambaram, to the learned Judicial Magistrate, Poonamallee, Tiruvallur District.

For Petitioner :Mr.K.Balasubramaniam
in CrIOP No.13624 of 2015

Mr.A.M.Rahamath Ali
in CrIOP No.7785 of 2015

For Respondents :Mr.C.Emalias
Additional Public Prosecutor
in CrIOP No.13624 of 2015

Mr.K.Subbu Ranga Bharathi
for R1 to R3
in CrIOP No.7785 of 2015

COMMON ORDER

these petitions have been filed seeking for a direction to the 3rd respondent to register a case on the petitioner's complaint dated 22.05.2015 and to transfer DV No.38 of 2014 pending on the file of the learned Judicial Magistrate, Tambaram, to the learned Judicial Magistrate, Poonamallee, Tiruvallur District, the petitioner has come up with these petitions.

2.Heard the learned counsel appearing for both the parties and perused the material placed on record.

3.On 22.06.2015, this Court has passed the following orders in CrIOP No.7785 of 2015:

"Heard Mr.K.Balasubramaniam, the learned counsel for the petitioner and Mr.K.Subbu Ranga Bharathi, the learned counsel for the respondents.

Allegations and counter allegations were made during the course of arguments. It is seen that the petitioner had filed DV.No.38 of 2014 on the file of the learned Judicial Magistrate, Tambaram, against her husband and in-laws, praying for maintenance and accommodation. The Trial Court has passed an order directing the husband to pay a sum of Rs.30,000/- (Rs.20,000/- toward maintenance + Rs.10,000/- for alternate accommodation) to the petitioner.

Mr.K.Subbu Ranga Bharathi, the learned counsel for the petitioner contended that his client is willing to pay Rs.15,000/- per month. His submission is recorded. Without going into the merits of claim and counter claim, this Court directs the first respondent to pay a sum of Rs.1,05,000/- (Rs.15,000/- per month x 7 months) by drawing a Demand Draft in

favour of the petitioner and produce the same before this Court.

Post the matter under the caption "for orders" on 07.07.2015."

4.Today, in compliance with the order passed by this Court, the respondents tendered a Demand Draft No.436901, dated 02.07.2015, drawn on State Bank of India, G.S.T.Road, Chennai, for Rs.1,05,000/- in favour of Anisha Surendra Babu and the same has been handed over to Mr.A.M.Rahamath Ali, learned counsel for the petitioner/wife. Both the parties agreed that they have no objection to transfer the matter from the Court of learned Judicial Magistrate, Tambaram.

5.Recording the said submissions, the proceedings in DV.No.38 of 2014 on the file of the learned Judicial Magistrate, Tambaram, is hereby transferred to the learned XXIII Metropolitan Magistrate, Saidapet, Chennai.

6.The learned Judicial Magistrate, Tambaram, is directed to transfer all the records in DV.No.38 of 2014 to the Court of XXIII Metropolitan Magistrate, Saidapet, Chennai, within a period of one week from the date of receipt of a copy of this order. Both the parties are directed to appear before the learned XXIII Metropolitan Magistrate, Saidapet, Chennai, without waiting for issuance of fresh summons. Hence, CrIOP No.7785 of 2015 is disposed of.

In view of the detailed orders passed by this Court in CrIOP No.7785 of 2015, this Court is of the view that no separate orders need to be passed in this petition and accordingly, CrIOP No.13624 of 2015 is closed.

mps

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate,
Tambaram.
- 2.The XXIII Metropolitan Magistrate,
Saidapet, Chennai,
- 3.The Chief Judicial Magistrate,
Chengalpet.

4.The Chief Metropolitan Magistrate,
Egmore, Chennai.

5.The Commissioner of Police,
Vepery, Chennai.

6.The Assistant Commissioner of Police,
Tambaram Range, West Tambaram,
Chennai-600 045.

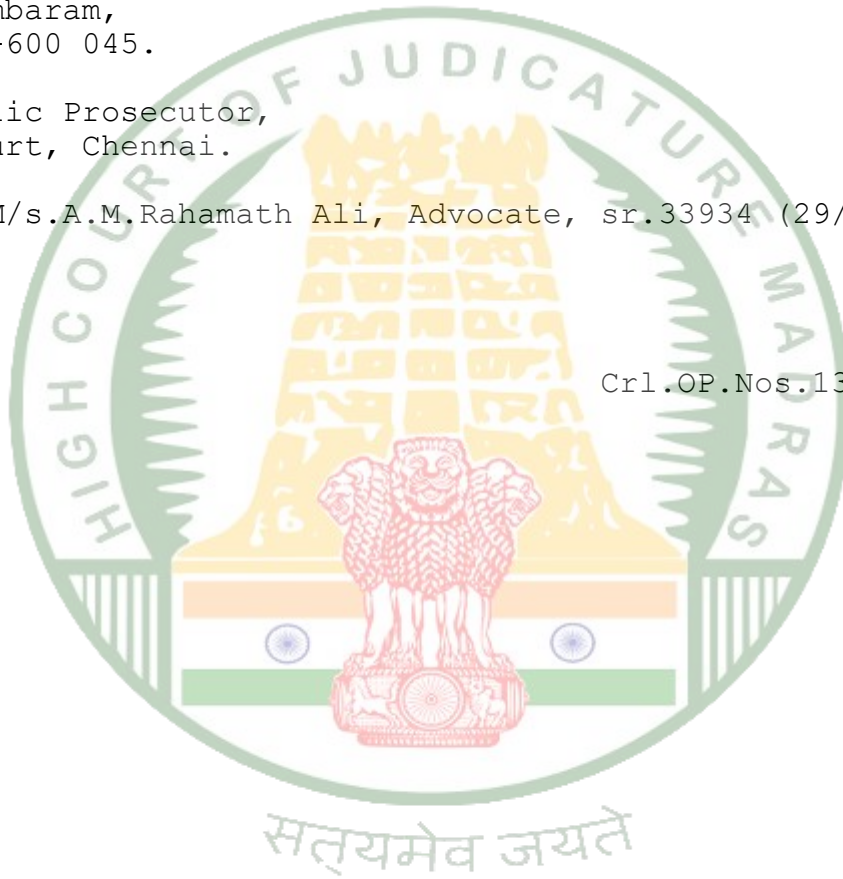
7.The Inspector of Police,
Tambaram Police Station,
West Tambaram,
Chennai-600 045.

8.The Public Prosecutor,
High Court, Chennai.

+1 cc to M/s.A.M.Rahamath Ali, Advocate, sr.33934 (29/10/2015)

gj(co)
prk22/7

Crl.OP.Nos.13624&7785 of 2015



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