

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.17265 of 2015

and MP.No.1 of 2015

Karthikeyan ... Petitioner/Respondent

Vs

I.Jagadeeswari ... Respondent/Petitioner

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., praying to transfer the case in M.C.No.2 of 2015 on the file of Judicial Magistrate No.II, Hosur, Krishnagiri District to Judicial Magistrate No.I, Tirupattur, Vellore District.

For Petitioner : Mr.PA.Sudesh Kumar

O R D E R

This Criminal Original Petition has been filed praying to transfer the case in M.C.No.2 of 2015 from the file of the learned Judicial Magistrate-II, Hosur, Krishnagiri District to the file of the learned Judicial Magistrate No.I, Tirupattur, Vellore District.

2. Heard Mr.PA.Sudesh Kumar, the learned counsel for the petitioner.

3. It is seen that the respondent has initiated proceedings under Section 125 of Cr.P.C., against this petitioner in M.C.No.2 of 2015 on the file of the learned Judicial Magistrate No.II, Hosur, Krishnagiri, which the petitioner/husband wants to transfer the case to the file of the learned Judicial Magistrate-I, Tirupattur, Vellore, under Section 125 of Cr.P.C.

4. The wife is not able to maintain herself and filed an application before the learned Magistrate in whose jurisdiction she lives. It is a beneficial legislation and therefore transfer from out of the court of jurisdiction Magistrate, Hosur, cannot be ordered.

5. The learned counsel for the petitioner submits that there are possibilities of the parties arriving at a settlement.

6. Under such circumstances, this Court directs the learned Judicial Magistrate No.II, Hosur, Krishnagiri, to send the parties in M.C.No.2 of 2015, to the local Mediation Centre, to bring about a settlement between them. The Mediation proceedings should be completed within three weeks from the date of receipt of a copy of this order and the case cannot be prolonged in the guise of Mediation.

7. With the above observation, this Criminal Original Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

1.The Judicial Magistrate-II
Hosur, Krishnagiri.

2.-do-thro The Chief judicial
Magistrate, Krishnagiri

+1 cc to Mr.PA.Sudesh kumar, Advocate sr.36643

Cr1.OP.No.17265 of 2015

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