



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2015
CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CRL.OP.(MD)No.2429 of 2015

WEB COPY

Mrs.Kanimozhi

... Petitioner/Accused

Vs.

R.K.Sivasamy

... Respondent/Complainant

Prayer: Petition filed under Section 407 of Criminal Procedure Code praying to withdraw the case in S.T.C.No.367 of 2013 on the file of the Judicial Magistrate at Keeranur, Pudukkottai District and transfer the same to the Judicial Magistrate (Fast Track Court) No.1, Nagercoil which is competent to try the case.

For Petitioner ... Mr.C.K.M.Appaji

For Respondent ... Mr.K.P.Narayanakumar

ORDER

When the matter is taken up for hearing, the learned counsel for the respondent submitted that the case is posted for evidence of the petitioner. Therefore, the decision rendered by the Hon'ble Supreme Court in **Dashrath Rupsing Rathod Vs.State of Maharashtra** reported in **2014(4) CTC 666** will not come to the aid of the petitioner in view of the specific observation made in paragraph NO.20. Hence, this petition is dismissed. Consequently, connected M.P. is also dismissed.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,Keeranur,Pudukkottai District.
 - 2.Do-Thro' The Chief Judicial Magistrate, Pudukkottai District.
 - 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to Mr.C.K.M.Appaji,Advocate, SR.No.23651
+1cc to Mr.K.P.Narayana Kumar, Advocate, SR.No.23232

CRL.OP.(MD)No.2429 of 2015
28.04.2015