



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.(MD)No.12636 of 2013

and

M.P(MD)No.1 of 2013

Navabharathi

..Petitioner/Petitioner

Vs.

Sugumar

..Respondent/Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to withdraw the Crl.M.P.No.4884 of 2010 now pending on the file of the Learned Judicial Magistrate Court No.I, Sivagangai and transfer the same to the file of Learned Judicial Magistrate Court at Pudukkottai who is competent to try the same.

For Petitioner

:: Mr.S.Veeranasamy

O R D E R

This petition has been filed praying to withdraw the Crl.M.P.No.4884 of 2010 now pending on the file of the Learned Judicial Magistrate Court No.I, Sivagangai and transfer the same to the file of Learned Judicial Magistrate Court at Pudukkottai.

2. Notice sent to the respondent was returned with an endorsement as 'refused'.

3.Mr.S.Veeranasamy, learned counsel for the petitioner would submit that the petitioner is the wife of the respondent and the maintenance case filed by the petitioner in M.C.No.16 of 2010, which was pending on the file of the Judicial Magistrate, Sivagangai was transferred by this Court on the application filed by the petitioner in Crl.O.P(MD).No.174 of 2012. So this petition may be allowed.

4.This Court, while allowing the Crl.O.P.(MD)No.174 of 2012 has held that the petitioner being a lady having a minor son aged about 6 years is entitled to transfer of the case. Following the same, this Criminal Original Petition is allowed and the Crl.M.P.No.4884 of 2010 pending on the file of the Judicial Magistrate Court No.I, Sivagangai is transferred to the file of Judicial Magistrate Court, Pudukkottai.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)



To,

1.The Judicial Magistrate Court No.I, Sivagangai

2.The Judicial Magistrate Court, Pudukkottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.12636 of 2013
24.11.2016

am.

PBK/EM-MPA 06/01/2017 ::2P-4C: