

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 27.01.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.26902 of 2015

R.Vasudevan

[Petitioner/Accused

Vs

Savithiri Moulin

[Respondent/Complainant

Petition filed under Section 407 of the Criminal Procedure Code, to withdraw the C.C.No.483 of 2015 pending on the file of the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai-1 and transfer the same to the learned XV Metropolitan Magistrate, George Town, Chennai-1 and consequently direct the learned XV Metropolitan Magistrate, George Town, Chennai-1 to conduct the joint trial in the above C.C.No.483 of 2015 along with Crl.M.P.No.2547 of 2015 in Crime No.977 of 2014 pending on the file of the XV Metropolitan Magistrate, George Town, Chennai-1.

For Petitioner : Mr.T.Sundaravadanam

For Respondent : No appearance

O R D E R

This Criminal Original Petition has been filed for a direction to withdraw the C.C.No.483 of 2015 pending on the file of the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai-1 and transfer the same to the learned XV Metropolitan Magistrate, George Town, Chennai-1 and consequently direct the learned XV Metropolitan Magistrate, George Town, to conduct joint trial of the case in C.C.No.483 of 2015 along with Crl.M.P.No.2547 of 2015 in Crime No.977 of 2014 pending on his file.

2.The learned counsel for the petitioner submits that the respondent has not entered appearance either through counsel or on her own.

3.This Criminal Original Petition has been filed in the year 2015. Notice was issued by this Court to the respondent on 02.11.2015 itself. The respondent has not chosen to engage a counsel or appear on her own, till now, despite the name of the respondent is printed in the cause list. In view of the same, this Court deems it fit to grant the prayer as sought for by the petitioner. Hence, the proceedings in C.C.No.483 of 2015 pending on the file of the learned IV Fast Track Metropolitan Magistrate, George Town, Chennai-1 is withdrawn and the same is transferred to the file of the learned XV Metropolitan Magistrate, George Town, Chennai-1 to be tried along with C.C.No.570 of 2016, which relates to CrI.M.P.No.2547 of 2015 in Crime No.977 of 2014 pending on his file. The learned XV Metropolitan Magistrate, George Town, Chennai-1 is directed to pass appropriate orders on these cases, on merits and in accordance with law, after issuing notice to the respective parties, as expeditiously as possible.

4.The Criminal Original Petition is disposed of accordingly.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

KM

To

1.The IV Fast Track Metropolitan Magistrate, George Town, Chennai-1.

2.The XV Metropolitan Magistrate, George Town, Chennai-1.

3.The Public Prosecutor, Madras High Court, Chennai-600 104.

सत्यमेव जयते

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