

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.23340 of 2017
and Crl.M.P.No.13576 of 2017

1.R.Muthukumar
2.S.Raja Jayapandian
3.R.Pechiammal

..Petitioners/Accused 1,2 & 3

Vs

1.State rep. By
The Sub Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar,
Chennai - 83,
Crime No.14 of 2012.

2.Mrs.Thangabanumathy

..Respondents/Complainant &
Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to withdraw the case in C.C.No.1164 of 2013 from the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai -15 and to transfer to any other Metropolitan Magistrate Court situated at Saidapet, Chennai-15.

For Petitioners: Mr.M.Mohammed Rafi

For Respondents: Ms.Kritika Kamal.P

Government Advocate (Crl.Side), for R1
NA for R2

O R D E R

When the matter came up for hearing on the last occasion, there was no representation for the second respondent. Hence, as a last opportunity, the matter was listed today. Even, today there is no representation for the second respondent.

2. Heard Mr.M.Mohammed Rafi, learned counsel appearing for the petitioners and Ms.Kritika Kamal.P, learned Government Advocate (Crl.Side) appearing for the first respondent.

3. The petitioner has made some averments complaining against the learned trial Court Judge, indicating that serious prejudice has been caused to them in view of the conduct of the learned trial Court Judge.

4. I do not wish to go into their authenticity on such allegations made against a judicial officer. Nevertheless, in view of such allegations, it would not be appropriate to make the petitioner to face the trial before the same Court. It is made clear that this Court has not expressed any of its opinion with regard to the allegations made against the judicial officer in the present petition.

5. In the result, the learned XVII Metropolitan Magistrate, Saidapet, Chennai, is directed to transfer the proceedings in C.C.No.1164 of 2013, pending on the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, to the file of the learned XVIII Metropolitan Magistrate, Saidapet, Chennai, forthwith and in any event, within a period of fifteen days from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

ms

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

To

1.The XVII Metropolitan Magistrate,
Saidapet, Chennai,

2.The XVIII Metropolitan Magistrate,
Saidapet, Chennai,

3.The Sub Inspector of Police,
W-26, All Women Police Station,
Ashok Nagar, Chennai - 83,

4. The Public Prosecutor
High Court, Madras.

+ 1 cc to Mr. M. Mohameed Rafi, Advocate sr.10355

CrI.O.P.No.23340 of 2017
and CrI.M.P.No.13576 of 2017

SR(CO)
EU(22/02/2018)