

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.28692 of 2018

and

Crl.M.P.Nos.16734 and 16735 of 2018

P.Solomon ... Petitioner/Petitioner

vs.

B.Shanthakumari ...Respondent/Respondent

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, praying to transfer the above M.C.No.33 of 2018, on the file of Judicial Magistrate, Ambur to Judicial Magistrate, Tambaram.

For Petitioner : M/s.R.Dhanasekar

O R D E R

This petition has been filed seeking for transfer to the proceedings in M.C.No.33 of 2018, pending on the file of the Judicial Magistrate Court, Ambur.

2.The transfer petition has been filed only on the ground that the petitioner is suffering from cervical spondylitis and he is not in a position to travel to Ambur during every occasion. The further allegation that has been made in the affidavit is that there is a threat perspective for the petitioner from the family members of the respondent.

3.The grounds that have been raised by the petitioner for transfer of case to Tambaram, cannot be valid grounds for transfer. The petitioner can always be represented by a counsel and as and when the Court requires the presence of the petitioner, he can always be present before the Court. By doing so, the grounds raised by the petitioner in this transfer petition will automatically fall. Therefore, the petitioner shall appear before the Court as and when required by the Court below. The counsel representing the petitioner shall ensure that the witnesses are cross-examined on the same day, they are examined in chief. The petitioner shall co-operate for the early disposal of the maintenance case.

4.This Criminal Original Petition is disposed of with the above direction. Consequently connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar (CS)

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Sub Assistant Registrar

stm

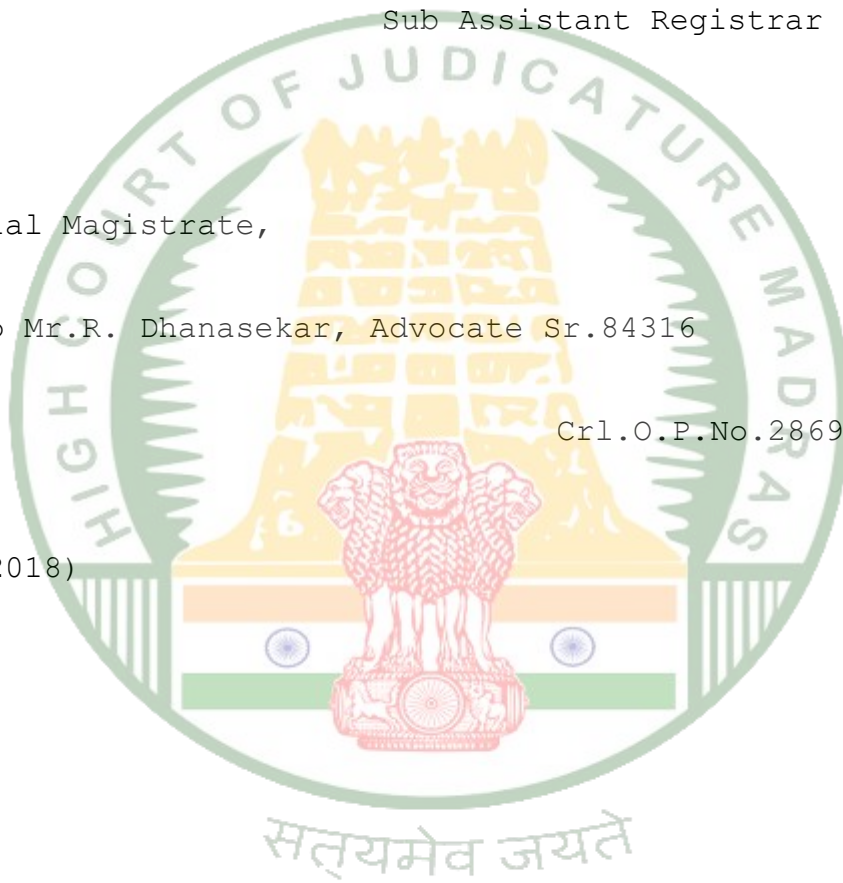
To

The Judicial Magistrate,
Ambur.

+ 1 cc to Mr.R. Dhanasekar, Advocate Sr.84316

Cr1.O.P.No.28692 of 2018

(CS-DR)
EU(12/12/2018)



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