

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.06.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No. 8385 of 2015
and
M.P.No.1 of 2015

M.Kiruthika

...Petitioner/Respondent

Vs.

1.D.Kumar
2.Padmavathi

....Respondents/Petitioners

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 18.02.2015 passed in Tr.C.M.P.No.1231/2014 passed by the Principal District and Sessions Judge, Erode.

For Petitioner : Mr.C.S.Saravanan

For Respondents : Mr.M.Guruprasad

ORDER

This Criminal Original Petition has been filed challenging the order passed by the Court below transferring M.C.No.14 of 2012 from the file of Judicial Magistrate No.I, Erode to be tried simultaneously along with C.C.No.187 of 2011 which was pending before the same Court.

2. Heard, the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent.

3. The Court below, while passing the order of transfer has taken into consideration, the fact that already the case in C.C.No.187 of 2011 between the same parties is pending before the learned Judicial Magistrate No.I, Erode and therefore, in order to avoid multiplicity of proceedings and also in order to avoid contradicting verdicts of two different Courts, thought it fit to transfer the case to be tried simultaneously with C.C.No.187 of 2011. This Court does not find any illegality or infirmity in the order passed by the Court below.

4. In the result, this Criminal Original Petition is dismissed and the learned Judicial Magistrate No.1, Erode is directed to simultaneously try M.C.No.14 of 2012 and C.C.No.187 of 2011 and complete the proceedings within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssb

To

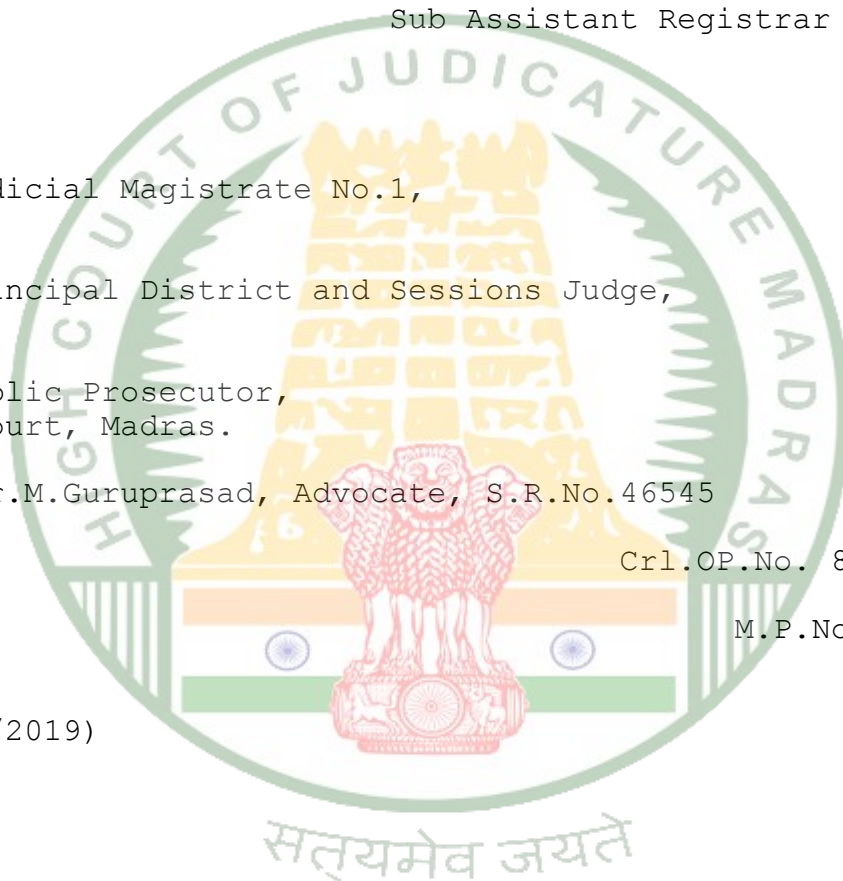
1. The Judicial Magistrate No.1,
Erode.
2. The Principal District and Sessions Judge,
Erode.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.46545

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NA(CO)

RRS(01/07/2019)



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