

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CrI.O.P.No.24717 of 2016
and
CrI.M.P.No.11891 of 2016

Nirmala Samuvel ..Petitioner/Accused

Vs.

N.S.Subramanian ...Respondent/complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the case in S.T.C.No.25 of 2016 on the file of the Judicial Magistrate Court No.I, Gobichettipalayam, to any other competent Court in Chennai to try the same.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.D.R.Arun Kumar

O R D E R

This criminal original petition has been filed seeking to transfer the case in S.T.C.No.25 of 2016 on the file of the Judicial Magistrate Court No.I, Gobichettipalayam, to any other competent Court in Chennai to try the same.

2. For the sake of convenience, the parties will be referred to by their names.

3. Heard Mr.E.C.Ramesh, learned counsel for Nirmala Samuvel (accused) and Mr.D.R.Arun Kumar, learned counsel for N.S.Subramanian (complainant). Nirmala Samuvel (accused) is present before this Court.

4. When the matter was taken up for hearing, the learned counsel for Nirmala Samuvel (accused) submitted that instead of transferring the case to Chennai, the case may be transferred to the file of the Judicial Magistrate Court No.II, Gobichettipalayam, where, there are similar cases filed by various persons against Nirmala Samuvel (accused).

5. On 16.09.2020, this Court has recorded as follows:

"Mr.Ananda Murthy, learned counsel for the

respondent/complainant appeared and submitted that he has no objection for the same."

6. In the result, this criminal original petition is partly allowed with the following directions:

- The case in S.T.C.No.25 of 2016 is transferred from the file of the Judicial Magistrate Court No.I, Gobichettipalayam, to the file of the Judicial Magistrate Court No.II, Gobichettipalayam, for trial;
 - The Judicial Magistrate No.I, Gobichettipalayam, shall inform the learned counsel on record for N.S.Subramanian (complainant) about this order in writing and transfer the records to the file of the Judicial Magistrate Court No.II, Gobichettipalayam within two weeks from the date of receipt of a copy of this order; and
 - Nirmala Samuvel (accused) shall appear before the Judicial Magistrate Court No.II, Gobichettipalayam, without waiting for further summons from that Court.
 - The trial Court shall ensure the safety of Nirmala Samuvel (accused), whenever she appears in the Court.
- Connected CrI.M.P. is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate No.I,
Gobichettipalayam.

2.The Judicial Magistrate No.II,
Gobichettipalayam.

CrI.O.P.No.24717 of 2016

SPD(CO)
RV(19/12/2020)

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