

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.07.2020

Coram:

The Honourable Mr. Justice G.K.ILANTHIRAIYAN

CRL.OP.No.2726 of 2020

and

CRL.MP.No.1635 of 2020

Devi Pechiyammal @ Devi

... Petitioner

Vs.

1.K.Dinesh  
2.K.Thenmozhi  
3.Kotteswaran  
4.K.Madan

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to withdraw DVC.No.129 of 2018 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore and transfer the same to the learned Judicial Magistrate Court-I, Tiruvallur.

For Petitioner : Mr.Aloysius Raja Pragash M.

For Respondents: No appearance

O R D E R

Criminal Original Petition has been filed to withdraw DVC.No.129 of 2018 on the file of the learned Additional Mahila Court at Magistrate Level, Egmore and transfer the same to the learned Judicial Magistrate Court-I, Tiruvallur.

2. It is seen that the petitioner is the wife of the first respondent herein and the other respondents are in-laws and family members of the first respondent herein. The petitioner got married with the first respondent on 23.06.2016. After giving birth to two children, there is a strained relationship between the petitioner and the first respondent herein. Thereafter, they were also driven out from the matrimonial home and they are living separately. Therefore, the petitioner lodged a complaint before the Social Welfare Officer and the Social Welfare Officer conducted an enquiry and found that the allegations made in the petition are having a prima facie case and filed a report before the Additional Mahila Court, Egmore and the trial court had taken cognisance in Domestic Violence Case in DVC.No.129 of 2018. The petitioner is residing in Tiruvallur and he is also having two children aged about two and three years old

respectively. Therefore, the petitioner could not attend the court proceedings before the Additional Mahila Court, Egmore, Chennai.

3. Though notice was served to the respondents, no one represented through pleader or by person.

4. Considering the above submission, the domestic violence complaint in DVC.No.129 of 2018 is hereby withdrawn from the file of the learned Additional Mahila Court at Magistrate Level, Egmore, Chennai and the same is transferred to the file of learned Judicial Magistrate Court-1, Tiruvallur.

5. In the result, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate Court No.I,  
Thiruvallur.

2.The Additional Mahila Court at Magistrate Level,  
Egmore, Chennai.

+1 cc to Mr.M.Aloysius Raj Pragash, Advocate,sr.25656.

Pa(co)  
krd 24/8

CRL.OP.No.2726 of 2020  
and  
CRL.MP.No.1635 of 2020

WEB COPY