

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.3149, 3151 & 3153 of 2020  
and  
Crl.M.P.Nos.2347, 2348 & 2349 of 2020

Kalaivani,  
W/o.V.Vasudevan,  
Flat NoA27-4, Sivagami Illam,  
Door No.1/930-A5,  
ESI Hospital Backside,  
Sipcot Executive Housing Colony,  
Hosur Taluk, Krishnagiri District.

....Petitioner in  
all Crl.O.Ps/Accused

Vs.

M.Charles,  
S/o.A.Mariya Arokiam,  
No.5/92A, Periya Alampatti,  
Inamkulathur Post,  
Tiruchy - 620 009.

....Respondent in  
Crl.O.P.No.3149 of 2020

Sheela Janci Rani,  
W/o.Rosario,  
Door No.1/930-A4,  
Flat No.A27,  
ESI Hospital Backside,  
Sipcot Executive Housing Colony,  
ESI, Mookandapalli,  
Hosur, Hosur Taluk,  
Krishnagiri District.

... Respondent in  
Crl.O.P.Nos.3151 &  
3153 of 2020/Complainant

PRAYER in Crl.O.P.No.3149 of 2020: Criminal Original Petition filed under Section 407 of Cr.P.C. praying to withdraw the case in S.T.C.No.6208 of 2019 from the file of learned Judicial Magistrate-V, Tiruchirapalli and to transfer the same to the file of the learned Judicial Magistrate, Fast Track Court, Hosur.

PRAYER in Crl.O.P.No.3151 of 2020: Criminal Original Petition filed under Section 407 of Cr.P.C. praying to withdraw the

case in S.T.C.No.6210 of 2019 from the file of learned Judicial Magistrate-V, Tiruchirapalli and to transfer the same to the file of the learned Judicial Magistrate, Fast Track Court, Hosur.

PRAYER in Crl.O.P.No.3153 of 2020: Criminal Original Petition filed under Section 407 of Cr.P.C. praying to withdraw the case in S.T.C.No.6209 of 2019 from the file of learned Judicial Magistrate-V, Tiruchirapalli and to transfer the same to the file of the learned Judicial Magistrate, Fast Track Court, Hosur.

For Petitioner : No appearance  
(in all Crl.O.Ps)

For Respondents : Mr.Dr.G.Babu  
(in all Crl.O.Ps)

#### COMMON ORDER

These petitions have been filed to transfer the case in S.T.C.Nos.6208, 6210 & 6209 of 2019 from the file of learned Judicial Magistrate-V, Tiruchirapalli to the file of the learned Judicial Magistrate, Fast Track Court, Hosur.

2. It is averred that, the only ground raised by the petitioner is that, the sister of the respondent/complainant is residing in the address of SIPCOT Housing Colony, ESI, Mookandapalli, Hosur, Krishnagiri District. Therefore, if the case is transferred to the file of the learned Judicial Magistrate, Fast Track Court, Hosur, it will be easy for the petitioner to attend the trial Court. Further, it is averred that the petitioner and the defacto complainant are living at Hosur and as such only in order to harass the petitioner and to put her in fear of injury has initiated stay proceedings before the learned Judicial Magistrate-V, Tiruchirapalli.

3. On a perusal of records, the respondent/defacto complainant is very much residing at No.5/92A, Periya Alampatti, Inam Kulathur Post, Trichy-620 009. Further, the banker of the petitioner is situated within the jurisdiction of the Judicial Magistrate-V, Tiruchirapalli and as such the petitioner/defacto complainant rightly lodged a complaint and the same has been taken cognizance in S.T.C.No.6208 of 2019 by the learned Judicial Magistrate-V, Tiruchirapalli. However, the ground raised by the petitioner, cannot be considered for transfer of the trial and this petition is nothing but clear abuse process of this Court and it has been filed only to drag the proceedings. Therefore, this petition is devoid of merits.

4. With the above observations, these Criminal Original Petitions are dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar (CS-VIII)

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Sub Assistant Registrar

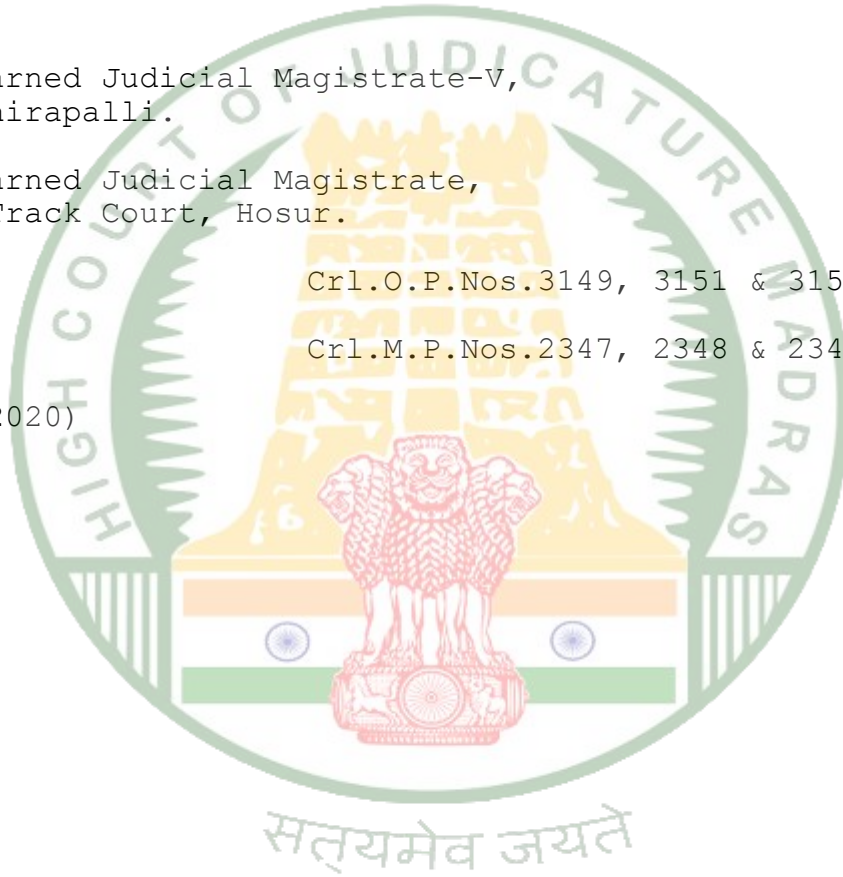
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To

1. The learned Judicial Magistrate-V,  
Tiruchirapalli.
2. The learned Judicial Magistrate,  
Fast Track Court, Hosur.

Crl.O.P.Nos.3149, 3151 & 3153 of 2020  
and  
Crl.M.P.Nos.2347, 2348 & 2349 of 2020

VS (CO)  
CB(28/09/2020)



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