

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.OP.No.12027 of 2019
and CrI.MP.No.6235 of 2019

Venkatesan .. Petitioner/Defacto Complainant

-VS-

1.The State by Inspector of Police,
Pullarambakkam P.S
Thiruvallur District. 1st Respondent/Complainant

2.Sivamani ...2nd Respondent/Accused

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Judicial Magistrate I, Thiruvallur to forward the case in C.C.No.246 of 2017 from his file to the learned 1st Additional District Judge, Thiruvallur to facilitate the joint trial by the learned 1st Additional Judge, Thiruvallur of both the cases.

For Petitioner : No Appearance

For R1 : Mr.S.Karthikeyan
Additional Public Prosecutor

For R2 : No Appearance

ORDER

This petition has been filed to direct the Judicial Magistrate I, Thiruvallur to forward the case in C.C.No.246 of 2017 from his file to the learned 1st Additional District Judge, Thiruvallur to facilitate joint trial by the learned 1st Additional Judge, Thiruvallur of both the cases.

2.Mr.S.Karthikeyan, learned Additional Public Prosecutor appearing for the 1st respondent has rightly pointed out that the 2nd respondent has been charged for the offences under Sections 294(b), 323, 324 read with 4 of of Indecent Representation of Woment Act, 1986, which are exclusively triable by the Judicial Magistrate and in case, the trial of the same is transfered to the Sessions Court, the 2nd respondent/accused will lose his appeal right which is

contemplated in Cr.P.C. Therefore, the prayer sought for in this petition cannot be granted.

3.In view of the above submission, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

gbi

To

- 1.The State by Inspector of Police,
Pullarambakkam P.S
Thiruvallur District.
- 2.The Judicial Magistrate I,
Thiruvallur.
- 3.The 1st Additional District Judge,
Thiruvallur.
- 4.The Public Prosecutor,
High Court, Madras.

AK (CO)
CB(21/09/2020)

CRL.O.P.No.12027 of 2019

सत्यमेव जयते

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