



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.29511 of 2019
and Crl.M.P.No.15916 of 2019

S.Suryaprakash

...Petitioner

Vs.

1.S.Amutha
2.Minor S.Mithun Sai
(represented by his
mother and guardian)

...Respondents

PRAYER : Criminal Original Petition is filed under Section 407 of Cr.P.C., praying to withdraw the case in M.C.No.12/2019 from the file of Judicial Magistrate Court, Gummidipoondi, transfer the same to the file of the Judicial Magistrate Court, Kancheepuram.

For Petitioner : Mr.S.Udhayakumar

ORDER

This Criminal Original Petition has been filed for transferring the maintenance case filed by the first respondent in M.C.No.12 of 2019 from the file of the learned Judicial Magistrate Court, Gummidipoondi to the file of the Judicial Magistrate Court, Kancheepuram.

2. Learned Counsel for the petitioner submits that the first respondent is a native of Gummidipoondi, if the petitioner goes to the Court to attend the case, he will be physically tortured in assaulted by the first respondent family members.

3. To substantiate the allegations made by the petitioner that there is absolutely no material to show that he will be physically tortured to attend the court. If the case is transferred to any other Court, it will be very difficult to appear before the trial Court by the respondents. Therefore, this Court does not find any reason to transfer of this maintenance case from the file of the learned Judicial



Magistrate Court, Gummidipoondi to the file of the Judicial Magistrate Court, Kancheepuram.

4. Accordingly, this criminal original petition is dismissed. The learned Judicial Magistrate Court, Gummidipoondi is directed to complete the trial within a period of six months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

dm

To

Judicial Magistrate Court,
Gummidipoondi.

Crl.O.P.No.29511 of 2019
and Crl.M.P.No.15916 of 2019

VG II(CO)
GMY(01/07/2020)