



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD) No.11079 of 2018
and
Crl.M.P. (MD) No.5020 of 2018

1.Subramani
2.Arumugam
3.Valarmathi

... Petitioners/Respondents

Vs

Tamilselvi

... Respondent/ Petitioner

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to withdraw the case in D.V.M.C.No.2 of 2018 on the file of the Judicial Magistrate, Aundipatti and transfer the same to the Judicial Magistrate No.II, Srivilliputhur.

For Petitioners : Mr.S.Ramasamy

For Respondent : Mr.S.Ravi

O R D E R

This criminal original petition has been filed for transferring the impugned proceedings from the Judicial Magistrate Court, Aundipatti to the Judicial Magistrate No.II, Srivilliputhur.

2. According to the petitioners' counsel, H.M.O.P., to which, the respondent is a party, is pending before the Family Court at Srivilliputhur. They, therefore, want the impugned proceedings also to be transferred. But then, learned counsel appearing for the respondent points out that trial in H.M.O.P., already got concluded and it is at the argument stage. She would contend that the impugned complaint has just been taken up for trial.

3. In view of this position, I am not inclined to grant the relief sought for in this petition. The criminal original petition stands dismissed. It is made clear that I have not gone into the merits of the matter.



4. Taking note of the overall facts and circumstances of the case, the personal appearance of the petitioners stands dispensed with. Of-course, the petitioners will have to appear on those occasions, when it is directed by the Court below or when it is imperative and necessary. On all other occasions, the petitioners can be represented by their counsel. All the contentions are left open. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. THE JUDICIAL MAGISTRATE,
AUNDIPATTI.

2. THE JUDICIAL MAGISTRATE NO.II,
SRIVILLIPUTHUR.

+1 CC to M/s.S.RAVI, Advocate (SR-10633[F] dated 09/03/2020)

+1 CC to M/s.S.RAMASAMY, Advocate (SR-10676[F] dated 09/03/2020)

Order made in
Cr1.O.P(MD)No.11079 of 2018 and
Cr1.M.P.(MD)No.5020 of 2018
06.03.2020

SRS/ 18.03.2020/ 2P/5C