



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGOVAN**

WEB COPY

Crl.O.P. (MD)No.5686 of 2021
CRL.M.P (MD) .No.3283 of 2021

C.R.Suganya

... Petitioner

Vs.

1.Kamalraj

2.R.Muruganandam

3.Banumathi

4.K.Siyamala

...Respondents

PRAYER : Criminal Original Petition is filed under Section 407 of Cr.P.C, to withdraw the Domestic Violence Act petition filed by the petitioner in D.V.O.P.No.53 of 2019 on the file of the learned Mahila Court, Madurai and to transfer the same to the file of the Learned Judicial Magistrate Court, Paramakudi.

For Petitioners	: Mr.K.R.Laxman
For R-1 and R-2	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to withdraw the Domestic Violence Act petition filed by the petitioner in D.V.O.P.No.53 of 2019 on the file of the learned Mahila Court, Madurai and to transfer the same to the file of the Learned Judicial Magistrate Court, Paramakudi.

2. The case of the petitioner is that the marriage between the petitioner and the first respondent was solemnized on 28.10.2012. After few days of marriage, the first respondent and his parents demanded more dowry and tortured the petitioner. Since she was unable to bear the torture, she has decided to file a Domestic Violence Petition. Further, the petitioner was advised to file a petition before the Courts at Madurai, where she will get speedy relief as the first respondent is residing at Madurai.

3. Heard the learned counsel appearing for the petitioner.

4. The learned counsel appearing for the petitioner would submit that on wrong advice, the petitioner has filed the petition before the learned Mahila Court, Madurai in D.V.O.P.No.53 of 2019



mainly on the ground that there is a possibility of getting speedy relief. Since the petitioner is residing in Paramakudi, she is not in a position to travel from Paramakudi to Madurai. It is also submitted by the learned counsel for the petitioner that since the matter is pending for enquiry, there is no impediment for transferring D.V.O.P.No.53 of 2019 from Madurai to Paramakudi.

5. Considering the facts and circumstances of the case, this Court is inclined to transfer D.V.O.P.No.53 of 2019 from the learned Mahila Court, Madurai to the learned Judicial Magistrate Court, Paramakudi. Accordingly, this Criminal Original Petition stands allowed. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The learned Mahila Court, Madurai

2.The learned Judicial Magistrate Court, Paramakudi.

Crl.O.P.(MD)No.5686 of 2021

25.06.2021

SVN(CO)

TR(08.07.2021) 2P 3C