



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2021**

CORAM:

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

Crl.O.P. (MD) No.7128 of 2021

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Kamatchi

... Petitioner

Vs.

1.R.Shankar

2.V.Raja

3.R.Kajendra

4.State represented by its
The Inspector of Police,
All Women Police Station,
Pattukottai,
Thanjavur District.

[R4 has been impleaded vide order dated 26.07.2021]

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw the CC.No.140 of 2015 filed by the petitioner on the file of the learned 1st District Munsif cum Judicial Magistrate, Orathanadu and transfer to learned Judicial Magistrate, Additional Mahila Court, Chengalpattu.

For Petitioner : M/s. Suguna.V

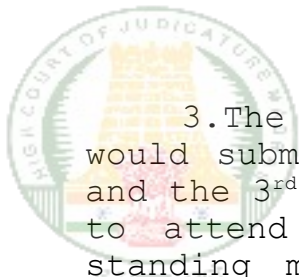
For R1 to R3 : Mr.K.Pragadeeshkumar

For R4 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

This petition is filed seeking transfer of CC.No.140 of 2015 from the file of the learned 1st District Munsif cum Judicial Magistrate, Orathanadu to the file of the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu.

2.The petitioner is the wife and the 3rd respondent herein is the husband and the respondents 1 and 2 are the in laws.



3.The learned counsel appearing for the respondents 1 to 3 would submit that the respondents 1 and 2 are the senior citizens and the 3rd respondent is not in a position to travel to Chengalpattu to attend the criminal case. It appears that there is a long standing matrimonial dispute between the parties, in respect of which, several proceedings are pending including DVC.No.2 of 2017, which was also pending before the learned Judicial Magistrate, Additional Mahila Court, Chengalpattu. That was also came to be disposed of.

4.Since the petitioner is in station ie., in Chengalpattu, she seeks transfer of criminal case. But the problem is that the case has been registered by the 4th respondent herein. They cannot travel to Chengalpattu and the witnesses cannot also be directed to travel to Chengalpattu to attend the criminal case. So, the question of transferring the criminal case may not be proper. Hence, this petition deserves to be dismissed.

5.Accordingly, this petition stands dismissed. However, considering the oldness of the matter, there shall be a direction to the learned 1st District Munsif cum Judicial Magistrate, Orathanadu to expedite the trial process in CC.No.140 of 2015 and complete the same within a period of 4 months from the date of receipt of a copy of this order. After disposing of the same, compliance report must be submitted to the Registry.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 1st District Munsif Cum Judicial Magistrate,
Orathanadu,Thanjavur District.

2.The Inspector of Police,
All Women Police Station,
Pattukottai, Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

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The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P. (MD) No.7128 of 2021
24.09.2021

RK (04.10.2021) 3P 5C