



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

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

CRL OP(MD) . No.4024 of 2022

and Cr1.M.P. (MD)No.2925 of 2022

WEB COPY

R.Sasikala

....Petitioner/ Petitioner

Vs

1.Akash Radhakrishnan

2.Padmanabhan

3.Bhuvaneswari

4.Lakshmi

(As against R2 to R4, DVC No.1 of 2019 quashed.

Hence, they are not the necessary parties)

....Respondents/ Respondents

PRAYER :- Criminal Original Petition filed under Section 407 Cr.P.C. to withdraw the D.V.C.NO.1 of 2019 on the file of the Judicial Magistrate No.V, Coimbatore and transfer the same to the Mahila Court, Tiruchirappalli.

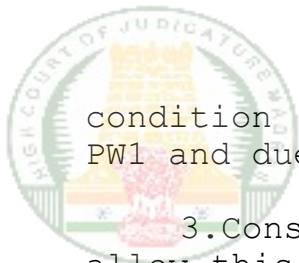
For Petitioner : M/s.P.Santhosh Kumar

For Respondent : Mr.S.Muthumalai Raja

ORDER

This Criminal Original Petition has been filed to withdraw the D.V.C.NO.1 of 2019 on the file of the learned Judicial Magistrate No.V, Coimbatore and transfer the same to the file of the learned Mahila Court, Tiruchirappalli.

2.The learned counsel for the petitioner submitted that when the complaint was lodged by the petitioner, she was residing at Coimbatore. Due to financial crisis, she shifted her residence from Coimbatore to Trichy and now, she is staying with her parents at Trichy. Therefore, she could not reach the trial Court for each and every hearing. He further submitted that when this Court quashed the proceedings against the other respondent in Cr1.O.P.(MD)No.3854 of 2019, this Court specifically directed the first respondent to appear before the trial Court and also to pay a sum of Rs.5,000/- as maintenance. The said condition is also not complied with by the first respondent. The petitioner has regularly complied with the



condition imposed by this Court and the petitioner was examined as PW1 and due to COVID-19, the trial is pending.

3.Considering the above submission, this Court is inclined to allow this Criminal Original Petition, by withdrawing the D.V.C.NO.1 of 2019, on the file of the Judicial Magistrate No.V Court, Coimbatore and transfer the same to the file of the Mahila Court, Tiruchirappalli. The Mahila Court, Tiruchirappalli is directed to complete the trial, within three months, from the date of receipt of entire case records.

4.Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Judicial Magistrate No.V,
Coimbatore.
- 2.The Judge,
Mahila Court, Tiruchirappalli.

Copy to:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) . No.4024 of 2022

Date : 31/03/2022

RD(18.05.2022) 2P 4C