



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

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

Crl.R.C. (MD)No.383 of 2022

1.Sarasu
2.Padmavathi

... Petitioner/3rd Party/Accused No.2
... Petitioner/3rd Party/Accused No.4

Vs.

1.Chitradevi

... Respondent/Petitioner/
Defacto Complainant

2.State rep through
The Inspector of Police,
A.W.P.S., Palani.

... Respondent/2nd Respondent/Complainant

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining to the order passed by the learned Principal Sessions Court, Dindigul in Tr.Cr.M.P.No.3802/2021 dated 28.02.2022 and set aside the same and allow the above criminal revision petition.

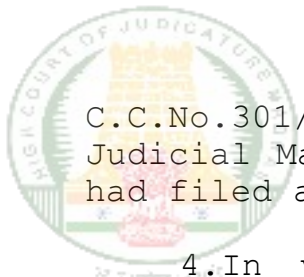
For Petitioners : Mr.S.Sitharthan
For R2 : Mr.M.Aasha
Government Advocate (Crl. Side)

ORDER

The criminal revision petition has been filed challenging the order of transfer thereby, transferring the C.C.No.186/2011 from the file of the learned Judicial Magistrate, Oddanchatram to the file of the learned Judicial Magistrate Palani.

2.The petitioners are accused. The first respondent had lodged a complaint for the offence under Section 498 (A) of IPC and Section 4 of Dowry Prohibition Act. After filing final report by the second respondent, the trial Court had taken cognizance in C.C.No.186/2011, on the file of the learned Judicial Magistrate Court, Oddanchatram. While pending the trial, the first respondent filed Transfer Petition in Tr.Cr.M.P 3802/2021, for transfer of the trial to the file of the learned Judicial Magistrate, Palani. The petitioners were also served notice. Even then, the petitioners had failed to appear before the Court below. However, the Court below allowed the said transfer petition on merits.

3.On perusal of the records revealed that after filing the final report before the learned Judicial Magistrate, Palani, for the same, the learned Judicial Magistrate had taken cognizance in



C.C.No.301/2011. But, it was transferred to the file of the learned Judicial Magistrate, Oddanchatram. Therefore, the first respondent had filed a petition for transfer of trial and the same was allowed.

4.In view of the above, this Court finds no infirmity or illegality in the order passed by the Court below and the criminal revision petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Principal Sessions Judge, Dindigul.
- 2.The Judicial Magistrate, Palani,
- 3.The Judicial Magistrate, Oddanchatram.
- 4.The Inspector of Police,
A.W.P.S., Palani.

COPY TO:-

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai. (2C)

+1 CC to M/s.S. SITHARTHAN, Advocate (SR-19843[F]
dated 20/04/2022)

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20.04.2022

ss (CO)
GC (04.05.2022) 2P 8C

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