



CRL OP(MD) No.15494 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Monday, the Seventeenth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice P.DHANABAL

CRL OP(MD).Nos.15494/2019,5658/2021, 11149 /2021, 13291/2021

1.Pradheep Kumar

2.Shanthi

3.Premkumar

4.Ramkumar

5.Pravinkumar

... Petitioner/

Accused NOS.1- 5 in oP(MD) No.15494/2019

1. C.Pradheep Kumar

... Petitioner/ Accused

in CrI.OP(MD)5658/2021 , 11149/2021

1.Kavitha Nanthan

... Petitioner/6th Respondent

in CrI.OP Nos. 13291 & 13293/2021

Vs

1 The State of Tamil Nadu,

Represented by,

The Inspector of Police

All Women Police Station Nagercoil

Kanyakumari District

... 1st Respondent/Complainant

2 Maria Usha

... 2nd Respondent/Defacto Complainant

in CrI OP(MD)No.15494 of 2019

Maria Usha

... Respondent in CrI.OP(MD)5658/2021

CrI.OP NOs.11149/2021 , 13291 & 13293/2021



CRL OP(MD) No.15494 of 2019

Prayer in CRL OP(MD). No.15494 of 2019

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Criminal Original Petition filed under section 407 R/W 482 of Cr.p.c., to withdraw and Transfer the case in CC No.493/2018 on the file of the Additional Mahila Court, Nagercoil, Kanyakumari District to Judicial Magistrate Court, Valliyoor or to any other District competent court except under Kanyakumari District.

Prayer in CRL OP(MD). 5658/ 2021 :

Criminal Original Petition filed under section 407 r/W 482 OF Cr.p.c. to withdraw and transfer the case in C.C No. 5/2021 o the file of the learned Judicial Magistrate (Mahila Court, Nageroil) Kanyakumari District , to Judicial Magistrate Court, Valliyoor or to any other competent court except under Kanyakumari District.

Prayer in CRL OP(MD). 11149/ 2021 :

Criminal Original Petition filed under section 407 r/w 482 of Cr.p.c. to withdraw and transfer the case in D.V.C.No.3 of 2018 on the file of the learned Judicial Magistrate -II, Nagercoil, Kanyakumari District to Judicial Magistrate Court, Valliyoor or to any other competent Court except under Kanyakumari district

Prayer in CRL OP(MD). 13291/ 2021 :

Criminal Original Petition filed under section 407 r/w 482 of Cr.p.c.to



CRL OP(MD) No.15494 of 2019

withdraw and transfer the case in D.V.C. No. 3 of 2018 pending before the learned Judicial Magistrate II, Nagercoil to any other competent court except under Kanyakumari District, and to pass such other further orders as this Hon`ble Court.

Prayer in CRL OP(MD). 13293/ 2021 :

Criminal Original Petition filed under section 407 r/w 482 OF Cr.p.c. to withdraw and transfer the case in C.C.No.5 of 2021 on the file of the Learned Judicial Magistrate (Mahila Court) Nagercoil, Kanyakumari District, to Judicial Magistrate Court, Valliyoor or to any other competent Court except under Kanyakumari District.

ORDER:-

These Criminal Original Petitions coming on for orders on this day under the caption "For extension of time" and upon perusing the earlier orders of this Court dated 01/11/2022 and requisition letter submitted by the Judicial Magistrate, Valliyoor vide letter D.No.1817/2023, dated 16/06/2023, this Court made the following order

The learned Judicial Magistrate, Valliyoor by his letter dated 16.06.2023 has sought three months time to dispose of the cases in C.C. Nos.2 and 3 of 2023 and DVC No.35 of 2022.

2. Already this Court had directed the learned Judicial Magistrate, Valliyoor to dispose of the cases in C.C. Nos.2 and 3 of 2023 and DVC No.35 of 2022 within a

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CRL OP(MD) No.15494 of 2019

period of six months from the date of receipt of a copy of the order, but the learned Magistrate has sought time alleging that as against A1, Non Bailable Warrant is pending and the some of the accused refused to receive summons and summons were sent to some of the accused through Superintendent of Police, Kanniyakumari District for execution of warrant. Thereafter NBW as against A1 and A2 was recalled. In the meantime the time granted by this Court is going to be expired and the case is pending for disposal of Crl.M.P.No.2843 of 2023 and complainant side evidence. The C.C. No.3 of 2023 is pending for service of witness summons and posted for P.W.1 chief continuation, hence he is unable to dispose the case within the time stipulated by this Court. Further the delay occurred due to the non- service of summons to A1, A3 to A5 and execution of warrant against A1 and A2.

3. Considering the request made by the learned Judicial Magistrate, Valliyoore and also considering the facts and circumstances of the case, time already granted by this Court to dispose the cases in C.C. Nos.2 and 3 of 2023 and DVC No.35 of 2022 is extended by another three months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)



CRL OP(MD) No.15494 of 2019

TO
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1.The Chief Judicial Magistrate,
Tirunelveli.

2.The Judicial Magistrate,Valliyoor

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

Hon`ble Mr.Justice
P.DHANABAL

ORDER DATED : 17/07/2023

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ORDER

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CRL OP(MD). Nos.15494 /2019,5658/21,
11149/21, 13291/21 & 13293 of 2021

Giving direction and etc.
as stated within.

MGJ(08.09.2023) 5P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023