



Crl.O.P.(MD)No.20943 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.20943 of 2022

Susila

... Petitioner

Vs.

State represented by
The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.
(Crime No.83 of 2020)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to transfer the case in C.C.No.214 of 2022 from the Judicial Magistrate Court, Sankarankovil to Sub Court, Sankarankovil to try along with the case in S.C.No.145 of 2022.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to transfer the case in C.C.No.214 of 2022 from the Judicial Magistrate Court, Sankarankovil to the Sub Court, Sankarankovil to try along with the case in S.C.No.145 of 2022.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. The learned counsel appearing for the petitioner would submit that case and case in counter came to be registered in Crime No.83 of 2020 for the offences under Sections 188, 147, 148, 294(b), 323, 324 and 506(2) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Crime No.82 of 2020 for the offences under Sections 147, 148, 188, 294(b), 427, 324, 307 and 506(2) IPC and that the respondent, after completing the investigation, has filed the final report in Crime No.83 of 2020 before the jurisdictional Court and the same was taken on file in C.C.No.214 of 2022 on the file of the Judicial Magistrate, Sankarankovil for the offences under Sections 188, 147, 148, 294(b), 323, 324 and 506(2) IPC and Section 4 of TN Prohibition of



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Harassment of Women Act, 2002 and the charge sheet filed in the case in counter was taken on file in PRC.No.39 of 2020 and subsequently, the case was committed to the Sessions Court and the same was taken on file in S.C.No.145 of 2022 for the offences under Sections 147, 148, 188, 294(b), 427, 307, 506(2), 326 and 34 IPC on the file of the Sub Court, Sankarankovil.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that both the cases are case and case in counter.

5. Considering the above, the learned Judicial Magistrate, Sankarankovil is directed to take necessary steps for committing the case to the Sessions Court under Section 323 Cr.P.C.

6. With the above direction, this Criminal Original Petition stands disposed of.

19.12.2022

Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

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To

- 1.The Judicial Magistrate,
Sankarankovil.
- 2.The Inspector of Police,
Sankarankovil Taluk Police Station,
Tenkasi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.20943 of 2022

Dated: 19.12.2022