



Crl.O.P.No.6834 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6834 of 2023

P.Muthusaranya

... Petitioner

Vs.

V.Arshith

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to withdraw the MP.No.2079 of 2021 and MC No.56 of 2021 on the file of the Judicial Magistrate I at Tambaram and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.K.Selva Ganapathy

ORDER

This Criminal Original Petition has been filed to withdraw MP.No.2079 of 2021 and MC No.56 of 2021, on the file of the Judicial Magistrate No. I, Tambaram and transfer the same to the Family Court, Chennai.



Crl.O.P.No.6834 of 2023

WEB COPY

2.It was pointed out to this Court that in Crl.O.P.No.28137 of 2022, this Court directed the learned Judicial Magistrate No.1, Tambaram to dispose of the case in M.C.No.56 of 2021 within a period of three months from the date of receipt of a copy of that order. This order was passed on 17.11.2022. Therefore, this Court directed the learned Judicial Magistrate No.1, Tambaram, to send a report as to why M.C.No.56 of 2021 was not disposed as directed by this Court in Crl.O.P.No.28137 of 2022. The learned Judicial Magistrate No.1, Tambaram, sent a report stating that petitioner commenced trial on 08.12.2022 and PW1 was examined on 06.01.2023. After closure of the petitioner's evidence, the case is pending for respondent's evidence. Respondent's counsel informed the Court that respondent is a Marine Engineer. As a part of the contract, he works six months on the sea and gets six months off from the duty. Thus, the learned counsel for the respondent sought the matter to be posted in April 2023 for respondent's evidence. Therefore, the learned Judicial Magistrate No.1, Tambaram sought two months further time for disposal of this case.



Crl.O.P.No.6834 of 2023

WEB COPY

3.In view of the report submitted by the learned Judicial Magistrate No.1, Tambaram, this Court grants time till May 2023 for disposal of M.C.No.56 of 2021. No further time will be granted for completion of the enquiry in M.C.No.56 of 2021.

4.In the said circumstances, this Court is of the view that it is not necessary to withdraw MP.No.2079 of 2021 and MC No.56 of 2021 from the file of the learned Judicial Magistrate No.I, Tambaram and transfer the same to the Family Court, Chennai. Accordingly, this Criminal Original Petition is disposed of.

18.04.2023

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
sli

To

1.The Judicial Magistrate No. I,
Tambaram.

2.The Public Prosecutor,
High Court of Madras.

3/4



WEB COPY



Crl.O.P.No.6834 of 2023

G.CHANDRASEKHARAN, J.
sli

Crl.O.P.No.6834 of 2023

18.04.2023