



Criminal Original Petition No.20291 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.20291 of 2023
and Criminal Miscellaneous Petition No.13949 of 2023

1. Vasantha

2. Shanmugam

...Petitioners

Vs

1. The Deputy Superintendent of Police,
Omalur Sub Division,,
Salem District.

2. The Inspector of Police,
All Women Police Station,
Dharmapuri, Dharmapuri District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to withdraw the C.C.No.37 of 2014 pending on the file of the Additional Mahila Court (Fast Track) Magistrate Level, Dharmapuri and transfer the same to the file of the Honourable District Mahila Court, Salem to try along with S.C.No.77 of 2017.



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For Petitioners : Mr.C.D.Sugumar
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for transferring the case that is pending in CC No.37 of 2014 on the file of the Additional Mahila Court (Fast Track) Magistrate Level, Dharmapuri, to the file of the District Mahila Court, Salem, to be tried along with SC No.77 of 2017.

2. The learned Additional Public Prosecutor on instructions submitted that the case in CC No.37 of 2014 is now at the stage of questioning under section 313 of Cr.PC. The learned Additional Public Prosecutor further submitted that the case in SC No.77 of 2017 is pending, since A2 and A3 are absconding and non-bailable warrant is pending.

3. In the light of the above submission, considering the fact that



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CC No.37 of 2014 is at an advanced stage of hearing, there is no scope to transfer this case to any other Court and the relief sought for by the petitioners cannot be granted and accordingly, this Criminal original petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

05.09.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

rka/spp

To

1. The Deputy Superintendent of Police,
Omalur Sub Division,,
Salem District.
2. The Inspector of Police,
All Women Police Station,
Dharmapuri, Dharmapuri District.
3. The Public Prosecutor, High Court, Madras

N.ANAND VENKATESH, J



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