



Crl.O.P.(MD) No.1233 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P.(MD) No.1233 of 2023
and Crl.M.P(MD)No.1090 of 2023

Mounaraja

... Petitioner

Vs

Minor.Prithiviraj
(Minor represented through his guardian Grandmother Nagammal).

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to withdraw and transfer the case in M.C No. 6 of 2022 on the file of the Judicial Magistrate, Vadipatti to the Judicial Magistrate No.I, Dindigul or any other competent court in Dindigul District.

For Petitioner : Mr. M.Maran

For Respondent : Mr.S.Ramsundara Jeyaraj



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ORDER

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This Criminal Original Petition has been filed to withdraw and transfer the case in M.C No. 6 of 2022 on the file of the Judicial Magistrate, Vadipatti to the Judicial Magistrate No.I, Dindigul or any other competent Court in Dindigul District.

2.The case in M.C.No.6 of 2022 has been filed by the respondent, who is the Minor seeking maintenance from the petitioner, who is his father. The maintenance case has been filed by the mother of minor child/respondent.

3.Now, this petition has been filed by the petitioner seeking transfer of case from the file of the Judicial Magistrate, Vadipatti to Judicial Magistrate No.I, Dindigul, stating that there is a life threat for the petitioner at the hands of the minor respondent herein. Further, seeking custody of the minor respondent, G.W.O.P has been filed by the petitioner before the Principal District Court, Dindigul.

4.The learned counsel appearing for the respondent submitted



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that absolutely there is no evidence or document to show that the minor respondent is causing threat to the petitioner.

5.Simply because G.W.O.P has been preferred by the petitioner before the Principal District Court, Dindigul, the petitioner cannot seek to transfer the case in M.C.No.6 of 2022 on the file of the Judicial Magistrate, Vadipatti to the Judicial Magistrate No.I, Dindigul, without any valid reasons. There is no merits in the petition.

6.In view of the above, this petition stands dismissed. Consequently, connected miscellaneous petition is closed.

20.11.2023

NCC : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM



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G.ILANGOVA, J.

PNM

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