



Crl.O.P(MD)No.2326 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.07.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Crl.O.P(MD)No.2326 of 2023 &
Crl.M.P(MD)Nos.2098 & 2099 of 2023

S.Mangaleswari

... Petitioner

vs.

Nijamudin

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to issue a direction to transfer the case pending before the Judicial Magistrate Court, Tenkasi in S.T.C.No.436 of 2022 to Judicial Magistrate Court, Sivakasi at Virudhunagar District.

For Petitioner : Mr.S.M.A.Jinnah

For Respondent : Mr.R.Gohul

ORDER

This Criminal Original Petition is filed seeking for a direction to transfer, S.T.C.No.436 of 2022 pending on the file of the Judicial Magistrate



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Court, Tenkasi to the file of the Judicial Magistrate Court, Sivakasi at Virudhunagar District.

2. This Court after counsel submissions, has found that, there are no grounds for granting the relief sought for by the petitioner. At this stage, learned counsel for the petitioner requested atleast to pass orders dispensing with the presence of the petitioner before the Trial Court.

3. The learned counsel for the respondent is also present. Heard and perused the records.

4. On hearing both sides and going through the records, this Criminal Original Petition is closed, directing the Trial Court to dispose of S.T.C.No. 436 of 2022 as expeditiously as possible, and that since the petitioner is a woman and submitted that she cannot alone attend the Court and that she does not have any other person to travel along with her, the presence of the petitioner during the course of enquiry or trial is dispensed with. However, the learned Judicial Magistrate, Tenkasi is at liberty to direct the petitioner to



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be present in the Court for answering charges or questions and to answer 313 of the Code of Criminal Procedure or for any such purposes. Consequently, the connected Miscellaneous Petitions are closed.

28.07.2023

Speaking/Non-speaking Order

NCC : Yes / No

Index : Yes / No

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To

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN, J.

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