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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.3498 of 2023
and Crl.M.P(MD).No.3167 of 2023

Jeyanthi Krishna

... Petitioner

Vs.

1. The State represented by
The Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi District.

2.Murali

... Respondents

(R2 is suo-motu impleaded as per the order of this Court dated 23.02.2023 in Crl.O.P(MD).No.3498 of 2023 and Crl.M.P(MD).No.3167 of 2023).

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw C.C.No.606 of 2022 from the file of the Judicial Magistrate No.I, Kovilpatti, Thoothukudi District and transfer the same to some other Judicial Magistrate Court in any other District.

For Petitioner	: Mr.C.T.Perumal
For R1	: Mr.B.Nambiselvan
	Additional Public Prosecutor
For R2	: Mr.R.Anand



ORDER

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This petition has been filed to withdraw C.C.No.606 of 2022 from the file of the Judicial Magistrate No.I, Kovilpatti, Thoothukudi District and transfer the same to some other Judicial Magistrate Court in any other District.

2. The grievance of the petitioner is that the trial Judge, who recorded her statement under Section 164 Cr.P.C., is also undertaking the trial process. According to the petitioner, it will cause prejudice to her as well as the accused and only on this ground, this petition has been filed. Another grievance of the petitioner is that the petitioner, being a women, cannot travel from Tirunelveli to Kovilpatti for attending the Court in each and every hearing date and that ground cannot be accepted and the same is rejected. The first ground alone is taken into account to transfer the case.

2. A perusal of records shows that who is recorded the statement under Section 164 Cr.P.C is also undertaking the trial process.

3. In view of the above, the proceedings in C.C.No.606 of 2022 on the file of the Judicial Magistrate No.I, Kovilpatti, Thoothukudi District,



Crl.O.P.(MD)No.3498 of 2023

is withdrawn and ordered to be transferred to the file of the Judicial Magistrate No.I, Tirunelveli District. The learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi District, is directed to transmit the entire case records to the Judicial Magistrate No.I, Tirunelveli, within a period of one week from the date of receipt of copy of this order. After receiving the entire files from the Judicial Magistrate No.I, Kovilpatti, Thoothukudi District, the Judicial Magistrate No.I, Tirunelveli assign a new number and also issue notice to the parties for their appearance. After appearance of parties, the Judicial Magistrate No.I, Tirunelveli, shall dispose of the same within a period of five months from the date of appearance of parties.

4. With the above directions, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

10.04.2023

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

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To

- 1.The Judicial Magistrate No.I, Kovilpatti,
Thoothukudi District.
2. The Judicial Magistrate No.I,
Tirunelveli District.
3. The Inspector of Police,
All Women Police Station,
Kovilpatti,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

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