

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **29.03.2023**

CORAM:

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

Crl.O.P(MD)No.16469 of 2022
and
Crl.M.P(MD).No.10956 of 2022

Gokulakrishnan : Petitioner/Respondent
Vs.

1.Usha Nandhini
2.Tharanidharan (Minor)
rep., through his mother and natural
guardian Usha Nandhini/1st respondent: Respondents/Petitioners

PRAYER : Petition filed under Section 407 of the Code of Criminal Procedure, to withdraw the case in M.C.No.4 of 2022 on the file of the learned Judicial Magistrate, Melur and to transfer the same to the learned Judicial Magistrate, Devakottai.

For Petitioner : Mr.M.Balakrishnan
For Respondents : No appearance

ORDER

This petition has been filed seeking to transfer the case in M.C.No. 4 of 2022 from the file of the learned Judicial Magistrate, Melur to the file of the learned Judicial Magistrate, Devakottai.

2. The petitioner, who is the husband of the first respondent, is facing the proceedings M.C.No.4 of 2022 before the learned Judicial Magistrate, Melur. Now, the grievance of the petitioner is that, since he is the practising Advocate in Melur Court and the aforesaid case is also pending before the same Court, the first respondent, who is the wife, made allegation against the petitioner that he is threatening her not to appear before the Court. Hence, he prayed for transfer.

3. In view of the aforesaid grievance expressed by the petitioner, this Court is inclined to transfer the aforesaid case. Accordingly, M.C.No.4 of 2022 is hereby withdrawn from the file of the learned Judicial Magistrate, Melur and transferred to the file of the learned Judicial Magistrate, Devakottai. The learned Judicial Magistrate, Melur, is directed to transmit the entire case bundle to the learned Judicial Magistrate Court, Devakottai, within a period of one week from the date of receipt of copy of this order. After receiving the entire records, the learned Judicial Magistrate Court, Devakottai, take the matter on file and assign a new number and also issue notice to the parties for their appearance. After appearance of parties, the learned Judicial Magistrate Court, Devakottai shall dispose of the same within a period of three months from the date of appearance of parties.

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

29.03.2023

Index : Yes/No

Internet : Yes/No

Rmk

To

1.The Judicial Magistrate, Melur.

2.The Judicial Magistrate, Devakottai.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.

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G.ILANGO VAN,J.,

Rmk

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