



Crl.O.P.No.9806 of 2023

In the High Court of Judicature at Madras

Dated : 06.3.2024

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Criminal Original Petition No.9806 of 2023
& Crl.M.P.No.6433 of 2023

R.Krishnaveni

...Petitioner

Vs

S.Thangavelu

...Respondent

PETITION under Section 482 of the Criminal Procedure Code praying to call for the records from the Principal District & Sessions Court, Tiruppur in connection with Tr.C.M.P.No.561 of 2023 dated 11.4.2023 and set aside the same.

For Petitioner : Mr.S.Sithirai Anandam
For Respondent : Mr.P.M.Duraisamy

ORDER

This is a petition filed by the petitioner challenging the order dated 11.4.2023 passed by the Principal District & Sessions Court, Tiruppur in Tr.C.M.P.No.561 of 2023 transferring the case in C.C.No. 130 of 2017 from the file of the Judicial Magistrate Court, Palladam to the file of the Additional Mahila Court, Tiruppur.



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2. When the matter came up for hearing on 11.1.2024, it was recorded by this Court in the following manner :

"The order passed by the Court below transferring the case from the file of the Judicial Magistrate Court, Palladam to the file of the Additional Mahila Court, Tiruppur has been put to challenge only by one accused whereas there are totally six accused persons in this case. The other five accused have not approached this Court.

2. The learned Senior Counsel appearing on behalf of the petitioner shall get a clarification in this regard and make his submissions on 19.1.2024.

3. Post on 19.1.2024."

3. When the matter is taken up for hearing today, it is seen that the other accused persons have not taken any steps to question the transfer order passed. There is only one accused person before this Court, who has been arrayed as A1. If the other accused persons are not interested in challenging the order passed by the Court below and if they are agreeable for the transfer of the case, there is no reason as to why this Court must entertain this petition filed by one of the accused persons. Even otherwise, on carefully going through the impugned order passed by the Court below, it is seen that the same



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does not suffer from any infirmity or illegality warranting interference of this Court.

4. Accordingly, the above criminal original petition is dismissed.

Consequently, the connected Crl.M.P. is also dismissed.

06.3.2024

To

1.The Principal District & Sessions
Court, Tiruppur.

2.The Additional Mahila Court, Tiruppur

3.The Judicial Magistrate, Palladam.

4.The Public Prosecutor,
High Court, Madras.

RS



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N.ANAND VENKATESH,J

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