



Crl.O.P.(MD)No.12485 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.12485 of 2022

M.Jegatha

... Petitioner/petitioner

Vs.

1.V.Mathivaanan

2.Devapalam

3.V.Akila

4.V.Subash

5.Velappan

... Respondent/Respondent

PRAYER:- Petition filed under Section 482 of Cr.P.C., to transfer the criminal case in DVOP.No.2 of 2018 on the file of the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, to the Additional Mahila Court, Tirunelveli District, or any other appropriate court at Tirunelveli District.

For Petitioner : Mr.KA.Ramakrishnan

For Respondents : Mr.C.Kishore

ORDER

This Criminal Original Petition has been filed to transfer the proceedings in DVOP.No.2 of 2018 pending on the file of the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, to the Additional Mahila Court, Tirunelveli District.



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2.The case of the prosecution is that the petitioner is the wife of the first respondent. The marriage between them was solemnized on 02.09.2013. Since their marriage life ran into rough weather, the petitioner filed DVOP.No.2 of 2018 before the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, against the family members including her husband. Seeking transfer of above said DVOP, the present petition has been filed.

3.Both the learned counsel for the petitioner as well as the learned counsel for the respondents would submit that they agreed to transfer DVOP.No.2 of 2018 pending on the file of the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, to the Additional Mahila Court, Tirunelveli District, where the C.C.No.228 of 2021 is pending between the parties.

4. In view of the same, this Court is inclined to transfer DVOP.No.2 of 2018 from the file of the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, to the Additional Mahila Court, Tirunelveli District, where the C.C.No.228 of 2021 is pending.



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5. In the result, the Criminal Original Petition is allowed and DVOP.No.2 of 2018 pending on the file of the learned Judicial Magistrate III, Nagercoil, Kanyakumari District, is withdrawn and transferred to the Additional Mahila Court, Tirunelveli District. The Judicial Magistrate III, Nagercoil, Kanyakumari District, is directed to transmit the entire records in DVOP.No.2 of 2018 to the file of the Additional Mahila Court, Tirunelveli District. After the case is transferred and renumbered, the Additional Mahila Court, Tirunelveli District, is directed to issue summons to the respondents and to tag DVOP.No.2 of 2018 along with C.C.No.228 of 2021, which is pending on his file, to conduct joint trial.

20.02.2024

1/2

Index : Yes/No
NCC : Yes/No
dss

To

- 1.The Judicial Magistrate III,
Nagercoil, Kanyakumari District,
- 2.The Additional Mahila Court,
Tirunelveli District.



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M.DHANDAPANI, J.

dss/RR

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