



Crl.O.P.No.3853 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE Mr. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.3853 of 2023

Gejalakshmi

....

Petitioner

Vs

1. Ramachandiran

2. Angammal

....

Respondents

Prayer: Criminal Original Petition is filed under Section 407 of the Code of Criminal Procedure, to withdraw DVC.No.4 of 2022 pending on the file of District Munsif Cum Judicial Magistrate, Neyveli and transfer the same to Additional Mahila Court (Magistrate Level), Chengalpattu.

For Petitioner : Mr.V.Valarmathi

For Respondent : No appearance

ORDER

This Criminal Original Petition has been filed for transfer of the trial in DVC No.4 of 2022 from the file of the District Munsif cum Judicial Magistrate, Neyveli, to the file of the Additional Mahila Court, (Magistrate Level), Chengalpattu.



2. Heard the learned counsel appearing for the petitioner and

perused the materials available on record. Though notice has been served on the respondent, none appeared on behalf of the respondent either in person or through pleader.

3. The petitioner is the wife and the first respondent is the husband. They got married on 09.02.2007. Due to misunderstanding, they got separated. Thereafter, the petitioner was unable to maintain herself and filed a petition for maintenance in M.C.No.3 of 2021 against the first respondent and it is pending on the file of the Family Court. Due to domestic violation, a complaint was lodged under the Domestic Violation Act and the same has been taken cognizance in DVC No.4 of 2022 against the respondents and it is pending on the file of the District Munsif cum Judicial Magistrate Court, Neyveli.

4. If the domestic violence complaint is transferred to the Additional Mahila Court, Chengalpattu, it would be more convenient for both the petitioner as well as the respondents to attend the Court proceedings, since the maintenance case filed by the petitioner is already pending on the file of the Family Court, Chengalpattu. Therefore, the



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complaint in DVC No.4 of 2022 is hereby withdrawn from the file of the District Munsif cum Judicial Magistrate, Neyveli and transferred the same to the Additional Mahila Court (Magistrate Level), Chengalpattu.

5. With the above direction, this Criminal Original Petition is allowed.

04.02.2025

Lpp
Index: Yes/No
Internet: Yes/No

To

1. The District Munsif Cum Judicial Magistrate, Neyveli.
2. The Additional Mahila Court, (Magistrate Level), Chengalpattu.



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G.K.ILANTHIRAIYAN,J.

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