



Crl.O.P.No.91 of 2024

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.91 of 2024
and
Crl.M.P.No.104 of 2024

N.Rohini

.... Petitioner

Vs

1.The State Represented by
The Inspector of police,
AWPS - Coonoor,
The Nilgiris.

2.P.Udaya Kumar
3.K.R.Palanisamy
4.Renukadevi
5.Indumathi
6.Latha
7.Loganathan
8.Baby Salini
9.Bharathamani

.... Respondents

Prayer: Criminal Original Petition is filed under Section 407 r/w 482 of the Criminal Procedure Code, to withdraw and transfer the case in C.C.No.84 of 2023 the file of learned Judicial Magistrate, Panthalur, The Nilgiris to the Chief Judicial Magistrate Court, Coimbatore.



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For Petitioner : Mr.A.Parthasarathy
for M/s.A.Parthasarathy and Associates
For R1 : Mr.K.M.D.Muhilan
Government Advocate (Criminal Side)
For R2 to R9 : Mr.C.Prabakaran

ORDER

This Criminal Original Petition has been filed for transfer of trial in C.C.No.84 of 2023 from the file of the Judicial Magistrate, Panthalur, The Nilgiris to the file of the Chief Judicial Magistrate, Coimbatore.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is the wife and the second respondent is the husband. They got married and due to misunderstandings, they got separated. Thereafter, the petitioner lodged a complaint and the same has been registered in Crime No.3 of 2019 for the offences under Sections 498A, 494, 406 and 109 of IPC as against the respondents 2 to 9. After the completion of the investigation, the first respondent filed a final report and the same has been taken cognizance in C.C.No.55 of 2021 on the file of the Judicial Magistrate, Coonoor. However, due to



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administrative reasons, the entire trial has been transferred from the file of the Judicial Magistrate, Coonoor to the file of the District Munsif-cum-Judicial Magistrate, Kotagiri.

4. Once again, due to administrative reasons, the entire trial has been transferred from the file of the District Munsif-cum-Judicial Magistrate, Kotagiri to the file of the Judicial Magistrate, Panthalur. The petitioner, being the wife, could not able to reach Panthalur from her residence and it will take one day to travel. Therefore, the petitioner has sought the transfer of the entire trial from the file of the Judicial Magistrate, Panthalur to the file of the Judicial Magistrate, Mettupalayam.

5. Considering the facts and circumstances of the case, the entire trial in C.C.No.84 of 2023 is hereby withdrawn from the file of the Judicial Magistrate, Panthalur and transferred the same to the file of the Judicial Magistrate, Mettupalayam, Coimbatore District. On receipt of the entire case bundle, the Judicial Magistrate, Mettupalayam, Coimbatore District, is directed to complete the trial within a period of six months from the date of receipt of a copy of this order.



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6. In the result, this Criminal Original Petition stands allowed.

WEB CON Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Internet: Yes/No

To

1. The Inspector of police,
AWPS - Coonoor,
The Nilgiris.

2. The Judicial Magistrate,
Panthalur, The Nilgiris.

3. The Judicial Magistrate,
Mettupalayam,
Coimbatore District.

4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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