



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

**CRL OP No. 7119 of 2026
and Crl.M.P.No.5189 of 2026**

P.S.Keerthi
W/o.K.Sivaraj,
39B, 4th Street, Parathi Avenue, Sakthi Nagar,
Porur, Chennai - 600116.

..Petitioner(s)

Vs.

K.Sivaraj
S/o.Kaliyaperumal,
No.F1 Arumugm Castle
Thirumalai Homes Thalapathy Stalin,
1st Street Vengaivasai, Santhosapuram,
Chennai - 600 073.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 447 of BNSS, to withdraw and transfer the DVC.No.125/2023 on the file of the Chief Judicial Magistrate, Coimbatore(1), Coimbatore to the Judicial Magistrate Court-I, Poonamalle at Chennai, and pass such further or other orders.

For Petitioner(s):	Ms.K.Akshaya
For Respondent(s):	Ms.M.Muthu Yazhini

ORDER

The petitioner who is the estranged wife of the respondent – K.Sivaraj, had filed this quash petition seeking to withdraw and transfer the DVC No.125 of 2023 on the file of the Chief Judicial Magistrate, Coimbatore to the file of the Judicial Magistrate Court – I, Poonamallee at Chennai and pass such further or



other orders.

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2. The petitioner submits that she married the petitioner on 11.11.2019 at Poonamallee, Chennai and out of the wedlock, a female child – Tanvi was born to them on 25.02.2021. Now the child is aged about 5 years. Initially, both the petitioner and the respondent were residing at Bangalore and employed there. Subsequently, the respondent shifted to Chennai and employed with M/s Tech Mahindra. The respondent and his family members demanded dowry in the form of a car and a house. Hence, there was a dispute.

3. On 20.02.2023 the respondent harassed the petitioner in front of the petitioner's brother and driven her out from the matrimonial home. Thereafter, the petitioner filed a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and the same was numbered as D.V.C.No.125 of 2023.

4. The respondent has filed his counterblast as H.M.O.P.No.669 of 2024 for restitution of conjugal rights before the Family Court, Coimbatore.

5. Now, the petitioner is residing at Chennai along with her minor daughter and she has to take care of her ailing parents, who are taking treatment at Chennai. Thus, it is difficult for the petitioner to attend the both the court



proceedings at Coimbatore. It is further reported that the respondent also now residing at Chennai.

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6. Earlier when the domestic violence complaint was pending, the same was referred for mediation and during mediation the issue got resolved. The petitioner agreed to settle the dispute on condition that the respondent shall deposit a sum of Rs.7,25,000/- in the name of the minor child in a fixed deposit scheme, out of which the petitioner would receive a sum of Rs.16,000/- every quarter. The petitioner was also permitted to retain the 16 sovereigns of gold ornaments valued approximately Rs.16,00,000/- which were given by the respondent to the petitioner and to the minor child. Further it is reported that a sum of Rs.2,80,000/- was previously given to the petitioner. Now, the respondent had drawn a fixed deposit at the Karur Vysya Bank, Manavala Nagar Branch, Tiruvallur for a sum of Rs.7,25,000/- in the name of the minor child – Tanvi and arrayed the petitioner as joint holders. Thus, according to the respondent, during mediation, the issue got resolved. Now, the petitioner had made a turn and started demanding extra amount.

7. The learned counsel for the petitioner submitted that though the respondent had produced a copy of the fixed deposit receipt, original receipt was under the control of the respondent and even the quarterly credit amount of Rs.16,000/- has not been made. She further seeks short accommodation to



verify with the same.

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8. Be that as it may, now both the petitioner and the respondent are residing at Chennai and the petitioner seeks for transfer of D.V.C.No.125 of 2023 from the file of the Chief Judicial Magistrate, Coimbatore to the file of the Judicial Magistrate Court – I, Poonamallee at Chennai. The respondent is also residing somewhere around Chennai and it will not be difficult for him to appear before the Judicial Magistrate – I, Poonamallee at Chennai. The only requirement of the respondent is that the fixed deposit amount of Rs.7,25,000/- and permitting the petitioner to retain the gold jewels have to be considered and also the mediation report has to be considered by the Court below.

9. In view of the above, this Criminal Original Petition stands allowed and the proceedings in DVC No.125 of 2023 on the file of the Chief Judicial Magistrate, Coimbatore is withdrawn and transferred to the file of the file of the Judicial Magistrate Court – I, Poonamallee at Chennai, with all the records. Consequently, the connected miscellaneous petition stands closed.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

1. The Chief Judicial Magistrate, Coimbatore.

2. The Judicial Magistrate Court-I, Poonamalle at Chennai.

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M.NIRMAL KUMAR, J.

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