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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MRS.JUSTICE S.ALLI

CRL OP No. 28870 of 2025
and
Crl MP No.19561 of 2025

Case QR

CNR: {HCMA012510192025}

Jagannathan,
S/o.Rajavadivel,
No.5/135, Muthu Gounder Kottai,
Erranahalli Post,
Palacode Taluk,
Dharmapuri District-600 125.

..Petitioner(s)

Vs

1. State rep by
   The Inspector of Police,
   W-31, All Women Police Station,
   Chennai-600 016.

2. Eswari,
   D/o.Elangovan,
   No.3, Pillaiyar Koil Street,
   Nethur Nagar,
   Velacherry,
   Chennai-600 042.

..Respondent(s)

PRAYER: Criminal Original Petition filed under Section 447 of Cr.P.C., praying to withdraw C.C.No.228 of 2024 on the file of the Additional Mahila Court, Alandur, and Transfer the same to the XVII Metropolitan Magistrate, Saidapet, to be tried along with C.C.No.2925 of 2023 by allowing this transfer petition.

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For Petitioner(s): Mr.K.V.Muthu Visakan

For Respondent(s): Mrs.R.S.Indira,
Additional Public Prosecutor for R1

Mr.K.Ashokkumar for R2

ORDER

This Criminal Original Petition has been filed seeking to withdraw C.C.No.228 of 2024, pending on the file of the learned Additional Mahila Court, Alandur, and transfer the same to the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, to be tried along with C.C.No.2925 of 2023 pending before the said Court.

2.The case of the petitioner is that the petitioner is the complainant in C.C.No.2925 of 2023, a private complaint instituted before the learned XVII Metropolitan Magistrate, Saidapet, against the second respondent and others, alleging offences under Sections 494, 463 and 120(b) read with Section 34 of the Indian Penal Code. The said complaint relates to the matrimonial dispute between the petitioner and the second respondent.

3.It is further stated that a case in Crime No.5 of 2019 was registered on the file of the All Women Police Station, St. Thomas Mount, for the alleged offences under Sections 420 and 506(1) of the Indian Penal Code. After the completion of investigation, the respondent police filed a final report alleging

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offences under Sections 420, 506(1) and 494 of the Indian Penal Code. The same has been taken on file as C.C.No.228 of 2024 and is pending before the learned Additional Mahila Court, Alandur.

4.The learned counsel for the petitioner submitted that both the cases arise out of the same matrimonial dispute between the petitioner and the second respondent. The learned counsel further submitted that the private complaint in C.C.No.2925 of 2023 is already pending before the learned XVII Metropolitan Magistrate, Saidapet, who has jurisdiction over the said complaint. Hence, the petitioner seeks transfer of C.C.No.228 of 2024 to the file of the said Court.

5.The learned Additional Public Prosecutor appearing for the first respondent submitted that the final report has been filed in C.C.No.228 of 2024 before the learned Additional Mahila Court, Alandur.

6.This Court has carefully considered the rival submissions made on either side and perused the materials available on record.

7.On a perusal of the records, it is seen that C.C.No.228 of 2024 and C.C.No.2925 of 2023 arose out of the matrimonial dispute between the petitioner and the second respondent. The allegations and the issues involved in both the proceedings have a substantial connection and certain common facts and evidence may arise for consideration.

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8.In view of the foregoing discussion, this Court is of the view that transferring C.C.No.228 of 2024 to the file of the learned XVII Metropolitan Magistrate, Saidapet, where C.C.No.2925 of 2023 is pending, would facilitate better appreciation of the evidence and ensure convenience to the parties. Further, having both the proceedings tried together would avoid the possibility of erroneous or conflicting judgments.

9.Considering the facts and circumstances of the case, this Court is of the view that the transfer sought for by the petitioner deserves to be allowed.

10.Accordingly, this Criminal Original Petition is allowed. C.C.No.228 of 2024, pending on the file of the learned Additional Mahila Court, Alandur, is withdrawn and transferred to the file of the learned XVII Metropolitan Magistrate, Saidapet, Chennai, to be tried along with C.C.No.2925 of 2023, in accordance with law. Consequently, connected miscellaneous petition is closed.

11.The learned Additional Mahila Court, Alandur, is directed to transmit the records in C.C.No.228 of 2024 to the learned XVII Metropolitan Magistrate, Saidapet, Chennai, forthwith.

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

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To

1.The Additional Mahila Court, Alandur.

2.The XVII Metropolitan Magistrate, Saidapet.

3.The Public Prosecutor,
High Court of Madras.

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S.ALLI, J.

CDA

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