

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.2214 of 2014

and

M.P.No.1 of 2014

S.Navaneedha Krishnan ... Petitioner/Defacto Complainant.
vs

1. State thro' Inspector of Police
Kundadam Police Station
Tiruppur District. ... 1st Respondent/Complainant.

2. A.Arumugam

3. P.Ravi @ Venkatachalam

4. P.Selvakumar ... Respondents 2 to 4/Accused 1 to 3

Prayer:- Criminal Original Petition filed under Section 407 Cr.P.C., to withdraw the case in S.C.No.17 of 2013 on the file of the I Additional District and Sessions Court, Tiruppur and to transfer the same to the Additional District Court at Dharapuram.

For Petitioner : Mr.R.M.Makesh Kumaravel

For Respondents : Mr.C.Emalias
Additional Public Prosecutor for R1
Mr.J.Franklin for RR3 and 4

ORDER

Heard both sides.

2. The petitioner seeks to withdraw the case in S.C.No.17 of 2013 on the file of the learned I Additional District and Sessions Court, Tiruppur and to transfer the same to the Additional District Court at Dharapuram.

3. It is represented by the learned Additional Public Prosecutor that already 23 witnesses, viz., P.Ws.1 to 23 have been examined in Chief, before the learned I Additional Sessions Court, Tiruppur and at this juncture, the petitioner has come up with this petition for transferring the case to Additional District Court, Dharapuram.

4. Learned Counsel for the petitioner submitted that the petitioner is the son of the deceased and that he is in peril as he is being threatened by the accused party.

5. Considering the said submission made by the learned Counsel for the petitioner, the petitioner is given liberty to lodge a complaint before the jurisdictional police, if he is threatened by the accused party and the same shall be looked into by the police.

6. Whereas the learned Additional Public Prosecutor submitted that since the petitioner did not appear for cross examination, witness warrant has been issued against the petitioner.

7. In view of the above fact, the petitioner is directed to appear before the trial court. On such appearance being made, the witness warrant issued as against him shall be recalled. It is further directed that the petitioner shall subject himself to the cross-examination by the accused. The respondent-police shall also provide sufficient protection to the petitioner, if he comes to the Court for giving evidence. The trial Court is also directed to complete the trial, within a period of six months from the date of receipt of a copy of this order.

8. With the above observation, this Criminal Original Petition is disposed of. Consequently, the connected miscellaneous petition is closed.

vj2

-s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The I Additional District and Sessions Judge,
Tiruppur.
2. -do- thro' The Principal Sessions Judge,
Coimbatore.
3. The Inspector of Police
Kundadam Police Station
Tiruppur District.
4. The Public Prosecutor, Madras

+ 1 cc to Mr.J.Franklin, Advocate SR 20934

+ 1 cc to Mr.P.Paul Selvam, Advocate SR 20816

sv(co)
prk27/4

Crl.OP. No.2214 of 2014



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