

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Cr1.O.P.No.4720 of 2013

and M.P.No.1 of 2013

Seenappa

... Petitioner

Vs

1. State represented by
The Inspector of Police,
Berigal Police Station,
Krishnagiri District

2. Narayanappa

3. Sundharappa

4. Venkataramanappa

5. Seenappa @ Srinivasan

6. Rajendran @ Prabu

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the Sessions Case in S.C.No.81 of 2011 on the file of the Principal District and Sessions Judge at Hosur to Salem or Vellore or Chennai or any other Sessions Court.

For Petitioner : MR.Girdhar
M/s.Giridhar and Sai

For respondent 1 : Mr.C.Emalias,
Addl.Public Prosecutor

For Respondents 2 to 6: Mr.SC.R.Malarvannan

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O R D E R

The present criminal original petition has been filed seeking to transfer the Sessions Case in S.C.No.81 of 2011 on the file of the Principal District and Sessions Judge at Hosur to Salem or Vellore or Chennai or any other Sessions Court.

2. The first petitioner herein was first cited as a witness in Sessions in S.C.No.81 of 2011, pending on the file of the Principal District and Sessions Judge, Krishnagiri. The respondents 2 to 6 are accused and they have been charged initially for offences under Sections 147, 148, 341, 302 and later altered into one under Sections 147, 148, 341, 302 r/2 149 and 109 IPC. The person who was murdered is none else than the son of the petitioner namely, Nagaraj. Now, the present petition has been filed to transfer the S.C.No.81 of 2011 on the file of the Principal District and Sessions Judge, Krishnagiri to any other Sessions Court on the grounds that the accused are highly influential persons with political background; they have money and man power; there is a continuous threat to the witnesses not to depose anything against them in the Court and above all, on 14.01.2008, one Nethravathi, the wife of the deceased, unable to tolerate the threat of the accused persons, has committed suicide. Hence, he has come forward with this petition.

3. The learned Additional Public Prosecutor submitted that if there is a threat to the petitioners, the petitioners can approach the Superintendent of Police, Krishnagiri with the request to provide police protection, but on that ground, transfer cannot be sought for.

4. I have heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.

5. In view of the submissions made by the learned Additional Government pleader, this Court directs the petitioners herein to give a complaint or a representation to the Superintendent of Police, Krishnagiri and on receipt of the same, the Superintendent of Police, Krishnagiri is directed to pass an appropriate order with regard to providing police protection to the petitioners in view of the continuous threat to the petitioners and also other witnesses to enable them to adduce evidence in S.C.No.81 of 2011.

6. Accordingly, this Criminal Original Petition stands disposed of. The trial Court is directed to expedite the trial and complete the same within a period of three months. Consequently, connected miscellaneous petition is closed.
srn/mrp

Sd/-
Assistant Registrar (IV)

/True Copy/

Sub-Assistant Registrar

To

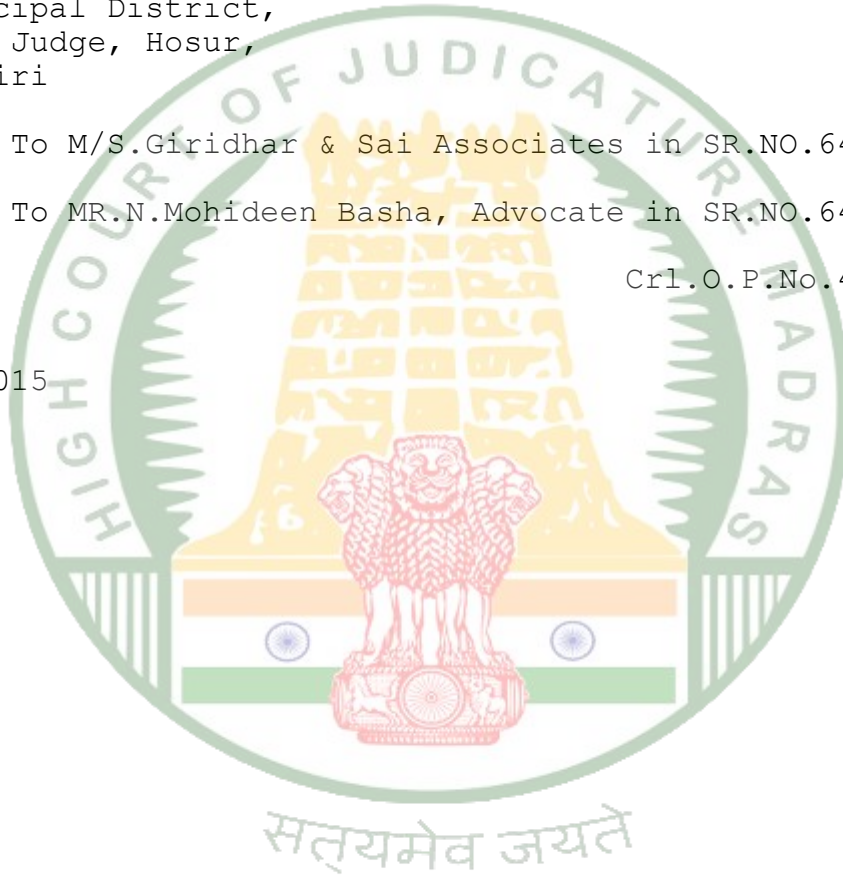
1. The Inspector of Police,
Berigal Police Station,
Krishnagiri District
2. The Superintendent of Police,
Krishnagiri
3. The Public Prosecutor,
High Court, Madras.
4. The Principal District,
Sessions Judge, Hosur,
Krishnagiri

+1 C.C. To M/S.Giridhar & Sai Associates in SR.NO.64225

+1 C.C. To MR.N.Mohideen Basha, Advocate in SR.NO.64055

CrI.O.P.No.4720 of 2013

KJI (CO)
sd : 21/12/2015



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