

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.03.2015

CORAM

THE HON'BLE MR. JUSTICE R.S.RAMANATHAN

Cr1.O.P.No.5586 of 2015

Padmavathy

..Petitioner

Vs.

State rep.by

The Inspector of Police,
Sankar Nagar Police Station,
Kancheepuram District.
(Cr.No.1996/2015)

..Respondent

Prayer: Criminal Original Petition is filed under Section 407 of Cr.P.C. praying to withdraw the case in C.C.No.378 of 2012 on the file of the Judicial Magistrate Court, Tambaram, Kancheepuram District and to transfer to the file of the Chief Metropolitan Magistrate Court, Egmore, Chennai to try the same.

For Petitioner : Mr.C.Deivasigamani

For Respondents: Mr.M.Maharaja
Additional Public Prosecutor.

O R D E R

The petitioner is P.W.2 in C.C.No.378 of 2012 on the file of Judicial Magistrate Court, Tambaram, Kancheepuram District.

2. It is submitted by the learned counsel for the Petitioner that the petitioner apprehends danger to life, if he appears in the court to give evidence in C.C.No.378 of 2012 and other witnesses are also having the same fear and therefore, the case has to be transferred. He also submitted that the case was registered under Section 4 of Women Harassment Act, 2002 and also under various I.P.C. Sections and the petitioner and others who are witnesses apprehend danger to their life and therefore, the petition is filed.

3. I am not inclined to accept the contention of the learned counsel for the petitioner. The petitioner is entitled to seek police protection if he apprehends danger to life, while, giving

evidence and they can approach the police to provide police protection, while giving evidence. Therefore, the witness cannot seek for transfer at this stage. Hence the petition is dismissed.

kkd

-s/d-

Assistant Registrar(CO)

Dt:31/3/2015

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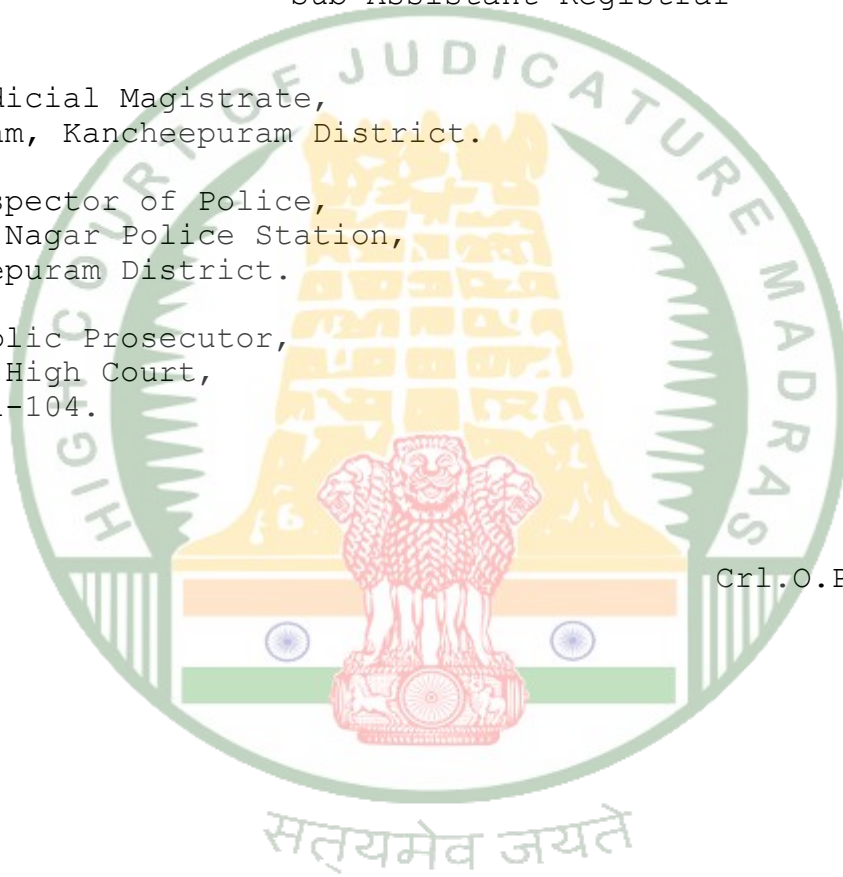
Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Tambaram, Kancheepuram District.
2. The Inspector of Police,
Sankar Nagar Police Station,
Kancheepuram District.
3. The Public Prosecutor,
Madras High Court,
Chennai-104.

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Crl.O.P.No.5586 of 2015



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