



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P. (MD)No.7831 of 2015
and M.P. (MD) .No.1 of 2015

Kanaga Sabapathy @ Kanagu

... Petitioner/Defacto complainant
Vs.

The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai,
Pudukkottai District.
(Cr.No.226/2013)

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 407 of the Code of Criminal Procedure, to withdraw and transfer the Criminal Case in S.C.No.53 of 2013 on the file of the learned Essential Commodities Court/Additional District Judge, Pudukkottai, Pudukkottai District, to any other District most particularly competent court at Trichy or any other competent Court which will be convenient both parties and pass such orders.

For Petitioner : Mr.A.Prasanna Rajadurai
for M/s.S.Muthalraj

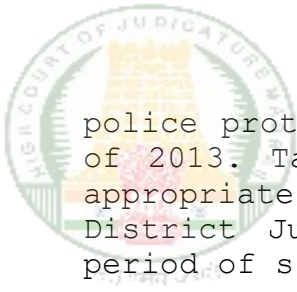
For Respondents : Mr.K.Anbarasan
Government Advocate (Crl.side)
O R D E R

This Criminal Original Petition has been filed to withdraw and transfer the Criminal Case in S.C.No.53 of 2013 on the file of the learned Essential Commodities Court/Additional District Judge, Pudukkottai, Pudukkottai District, to any other District most particularly competent court at Trichy or any other competent Court which will be convenient for both parties.

2. The Petitioner who is the defacto complainant seeks transfer of pending case in S.C.No.53 of 2013 on the ground of threat to his life from Accused No.1 and his relatives.

3. The learned Counsel for the petitioner submitted that the Accused No.1 and his relatives purposely disturb the petitioner when the petitioner is going to appear before the Court. In the meanwhile the court below does not issue any order to control them for the purpose of completion of the pending case as expeditiously as possible. Therefore police protection to the petitioner is sought for during all the hearings. The learned Counsel for the Petitioner further submitted that a time limit may be fixed to dispose of S.C.No.53 of 2013.

4. Considering the submissions made by the learned Counsel for the petitioner/defacto complainant, the respondent police is directed to give



police protection to the petitioner during all the hearings in S.C.No.53 of 2013. Taking note of the pendency of the case, this Court finds it appropriate to direct the learned Essential Commodities Court/Additional District Judge, Pudukkottai to dispose of S.C.No.53 of 2013 within a period of six months from the date of receipt of a copy of this order.

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3. This Criminal Original Petition is disposed of with the above direction. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub- Assistant Registrar

To

1.The Inspector of Police,
Ganesh Nagar Police Station,
Pudukkottai,
Pudukkottai District.

2.The Additional District Judge,
Essential Commodities Court,
Pudukkottai.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/s.Na.Palaniyandi, Advocate in SR.No. 21954

Sm:13.05.2015:2P/5C

pjl

Cr1.O.P. (MD) No.7831 of 2015
and M.P. (MD) .No.1 of 2015