

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.17493 of 2015

Muthukrishnan

... Petitioner

Vs

1. The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
(Crime No.595 of 2008)

2. Sakthivel.

3. Pandu @ Pandurangan

4. Radhakrishnan

... Respondents

Criminal Original Petition filed under Section 407 Cr.P.C. seeking a direction to the learned District and Sessions Judge, Tiruvannamalai to transfer the case in C.C.No.184 of 2011 from the file of the learned Fast Track Judge (Judicial Magistrate Level), Tiruvannamalai to the file of the learned Additional Assistant Sessions Judge at Tiruvannamalai to be tried along with the case in S.C.No.127 of 2011.

For Petitioner : Mr. L.Mahendiran

For Respondent no-1 : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The present criminal original petition has been filed to direct the learned District and Sessions Judge, Tiruvannamalai to transfer the case in C.C.No.184 of 2011 from the file of the learned Fast Track Judge (Judicial Magistrate Level), Tiruvannamalai to the file of the learned Additional Assistant Sessions Judge at Tiruvannamalai to be tried along with the case in S.C.No.127 of 2011.

2. The petitioner is the first accused in S.C.No.127 of 2011, pending on the file of the Additional Assistant Sessions

Judge, Tiruvannamalai for the offences under Sections 294(b), 324 and 307 IPC. He is the defacto complainant in the counter case in C.C.No.184 of 2011, pending on the file of the Fast Track Judge (Judicial Magistrate Level), Tiruvannamalai, in which the respondents 2 to 4 are the accused. Hence, he has come forward with the present petition to transfer the counter case in C.C.No.184 of 2011 pending on the file of the Fast Track Judge (Judicial Magistrate Level), Tiruvannamalai, to the file of the learned Additional Assistant Sessions Judge, Tiruvannamalai, to be tried along with the case in S.C.No.127 of 2011.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the submissions made on either side, this court constrained to pass the following order:-

(i) The learned Fast Track Judge (Judicial Magistrate Level), Tiruvannamalai, is directed to transfer the case in C.C.No.184 of 2011 pending on his file to the file of the Additional Assistant Sessions Judge, Tiruvannamalai;

(ii) On such transfer the learned Additional Assistant Sessions Judge, Tiruvannamalai is directed to conduct simultaneous trial in S.C.No.127 of 2011 and C.C.No.184 of 2011 and dispose of the same in accordance with law.

5. This criminal original petition is disposed of accordingly.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mrp

To

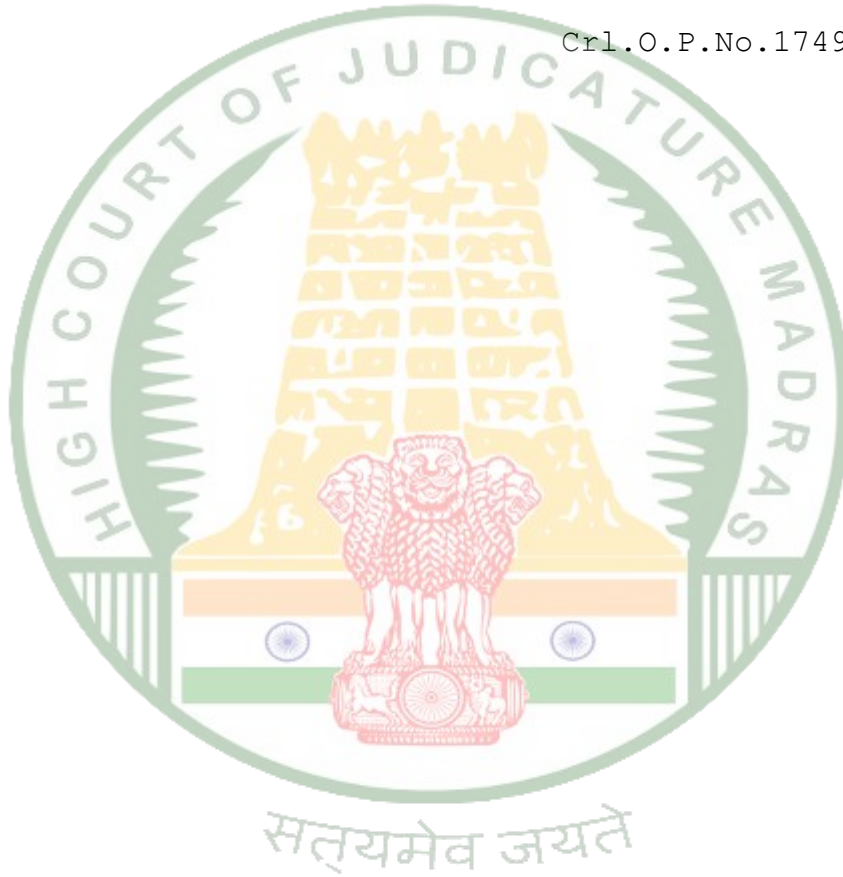
1. The Inspector of Police,
Kalasapakkam Police Station,
Tiruvannamalai District.
2. The Judge,
Fast Track Court(Judicial Magistrate level),
Tiruvannamalai.

3. The Additional Assistant Sessions Judge,
Tiruvannamalai.
4. The Public Prosecutor,
High Court, Madras.

1 cc to M/s.L. Mahendran, Advocate, Sr. 1262

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MP (CO)
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