

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2016

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P.Nos.27142 to 27146 of 2009
and M.P.Nos.1 of 2009

1. Palani1st Petitioner in Crl.O.P.Nos.27142 to
27144 of 2009

2. Shanthi2nd Petitioner in Crl.O.P.Nos.27142 to
27144 of 2009
.....1st Petitioner in Crl.O.P No.27145
& 27146 of 2009

3. Shantha
4. Selvi3rd and 4th Petitioner in
Crl.O.P.Nos.27142 of 2009

5.Sahispathy
6.Mahalakshmi3rd and 4th Petitioner in
Crl.O.P.27143 & 27144 of 2009

Vs.

R.M.Devi1st Respondent in crl.O.P.27142,27145
&27146 of 2009

Ammu1st Respondent in Crl.O.P.27143,
27144 of 2009
.....2nd Respondent in Crl.O.P.27145 &
27146 of 2009

The Sub Inspector of Police,
Vandavasi,

Thiruvannamalai District.2nd respondent in Crl.O.P.No.27142
to 27144 of 2009
.....12th respondent in Crl.O.P.27145
of 2009 and
....4th respondent in Crl.O.P.
No.27146 of 2009

The Sub Inspector of Police,
District Crime Branch,
Thiruvannamalai District

...11th respondent
in CrI.O.P.27145 of 2009

...3rd respondent
in Cr.O.P.27146 of 2009

Vasantha
Bommi
Rajina
Muniamma
Kuttiamma
Amalogam
Murthy
Naagu

...Respondents 3 to 10 in
CrI.O.P.27145 of 2009

PRAYER: Criminal Original Petitions filed under Section 482 of the Code of Criminal Procedure, to set aside the orders passed in CrI.M.P.No.4628 to 4632 of 2008 dated 06.08.2009 on the file of the learned Sessions Judge, Thiruvannamalai District and consequently withdraw and transfer the cases in C.C.No.273 to 275 of 2005 676 and 683 of 2006 respectively from the Court of Judicial Magistrate, Vandavasi to any other Court in Vandavasi District.

For Petitioners : Mr.E.R.K.Moorthy

For Respondents : Ms.J.Shahana
Govt. Advocate (CrI. Side) (R2)

C O M M O N O R D E R

The petitioners have come forward with these Criminal Original Petitions to to set aside the orders passed in CrI.M.P.Nos.4628 to 4632 of 2008 dated 06.08.2009 on the file of the learned Sessions Judge, Thiruvannamalai District and consequently withdraw and transfer the cases in C.C.Nos.273 to 275 of 2005 and 676 of 2006 and 683 of 2005 respectively from the Court of the learned Judicial Magistrate, Vandavasi to any other Court in Vandavasi District.

2. The Criminal Miscellaneous Petitions for transfer have been filed before the learned Sessions Judge, Thiruvannamalai, to transfer the cases from the Court of the learned Judicial Magistrate, Vandavasi to any other Court in Vandavasi District and they were dismissed by orders dated 06.08.2009. The matters are pending from 2009. On considering the submissions made by the learned counsel on either side, I

find that the reason given by the trial Court cannot be faulted. That apart, at this point of time, more particularly, many judges have been transferred in the trial Court. Besides, the averments made by the petitioners that they have been threatened by rowdies cannot be accepted. If the petitioners want any police protection, it is open to them to seek necessary protection from the police to enable them to appear before the the Court. The reason given by the petitioners for transfer of the cases cannot be accepted.

3. Hence, the trial Court is directed to take up the matters and expedite the hearing of the cases in C.C.Nos.273 to 275 of 2005 and 676 of 2006 and 683 of 2005 and proceed with the matters on a day-to-day basis and the matters shall not be adjourned beyond two working days, at any point of time and take a decision, as expeditiously as possible. It is made clear that the accused shall appear on all hearings.

The Criminal Original Petitions are disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. Learned Sessions Judge,
Thiruvannamalai District.

2. The learned Judicial Magistrate,
Vandavasi.

3.The Public Prosecutor,
Madras High Court,
Madras.

+5cc to M/S.E.R.K.Mourthy, Advocate Sr.8367

CrI.O.P.Nos.27142 to 27146 of 2009

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srg 19/02/2016