

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.02.2018

CORAM

THE HONOURABLE Mr. JUSTICE M.S.RAMESH

Crl.O.P.No.5275 of 2017

and

Crl.O.P.No.5359 of 2017

Crl.O.P.No.5275 of 2017:-

S.Varatharajan

.. Petitioner

...Vs...

1. State rep.by Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District.
Crime No.695 of 2013

2.P.Raman

(R2 is impleaded as per the order of this
Hon'ble Court dated 27.02.2018 made in
Crl.M.P.No.10403 of 2017 in
Crl.O.P.No.5275 of 2017)

...Respondents

Crl.O.P.No.5359 of 2017:-

P.Raman

....Petitioner

...Vs...

1.State rep.by Inspector of Police,
Thiruvarur Taluk Police Station,
Thiruvarur District
Crime No.695 of 2013

2.S.Varadharajan

...Respondents

(R2 is impleaded as per the order of this
Hon'ble Court dated 15.11.2017 made in
Crl.M.P.No.14242 of 2017 in
Crl.O.P.No.5359 of 2017)

Prayer in Crl.O.P.No.5275 of 2017:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the expedite the trial proceedings in S.C.No.153 of 2016 pending on the file of the learned Principal District Sessions Judge, Thiruvarur.

Prayer in Crl.O.P.No.5359 of 2017:-Criminal Original Petition is filed under Section 482 Cr.P.C., to transfer the sessions case for the purpose of trial in S.C.No.153 of 2016 on the file of the Hon'ble District and Sessions Court, Tiruvarur to some other

Competent Sessions Court near or far away from Tiruvarur District.

For Petitioner in
Crl.O.P.No.5275 of 2017 : Mr.G.Hariharan

For Petitioner in
Crl.O.P.No.5359 of 2017 : Mr.K.M.Subrhamaniam

For 1st Respondent in
Crl.O.P.No.5275 of 2017 : Mrs.Kritika Kamal.P
Govt.Advocate (Crl.side)

For 2nd Respondent in
Crl.O.P.No.5275 of 2017 : Mr.K.M. Subramaniam

For R1 in
Crl.O.P.No.5359 of 2017 : Mrs.Kritika Kamal.P
Govt.Advocate (Crl.side)

For R2 in
Crl.O.P.No.5359 of 2017 : Mr.G.Hariharan

C O M M O N O R D E R

The limited prayer sought for in the Crl.O.P.No.5275 of 2017 is for a direction to expedite the trial proceedings in S.C.No.153 of 2016 pending on the file of the learned Principal District Sessions Judge, Thiruvavur and taking into account, the charge sheet is laid in the year 2014, and taking into account that the trial has not yet commenced, the trial Court shall endeavour to complete the trial in S.C.No.153 of 2016 as expeditiously as possible.

2. The only ground raised in Crl.O.P.No.5359 of 2017 is for a direction to transfer of proceedings is that there is threat to his life whenever he appear before the trial Court.

3. In my view, such ground may not be sufficient for transfer of proceedings. However, in the interest of justice would be met if the respondent-police is permitted to consider the petitioner's request for protection during the time of trial, when he appears before the trial Court. Hence, whenever the petitioner appears before the trial Court and apprehends that there is threat to his life, he is granted liberty to approach the first respondent-police with a representation seeking for necessary protection and on such representation, the first respondent-police shall consider the same on merits and pass appropriate orders preferably within two days from the date of receipt of a copy of this order.

4. With the above observations, these Criminal Original Petitions are disposed of.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To

1. The Principal District Sessions Judge,
Thiruvarur.

2. The Public Prosecutor,
High Court, Madras.

3. The Inspector of Police
Thiruvarur Taluk Police Station
Thiruvarur District.

+2 Ccs to Mr.G. Hariharan, Advocate sr 15501 & 15502.

+1 CC to Mr.K.M. Subramaniam, Advocate sr 15446.

CrI.O.P.No.5275 of 2017 and
CrI.O.P.No.5359 of 2017

SP(22/03/2018)

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