

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.07.2018

Coram:

The Honourable Mrs. Justice R. HEMALATHA

Crl.O.P.No.8987 of 2014

and

M.P.No.1 of 2014

Mrs.S.Santhi

...Petitioner/defacto complainant

Versus

1.T.Saravanan

2.Maheswari

...Respondents/Accused

3.The Inspector of Police,
All Women Police Station,
Attur, Salem District.

...Respondent/Complainant

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to withdraw C.C.No.86 of 2013 on the file of the Hon'ble Judicial Magistrate No.1, Attur and transfer the same to any Criminal Court in Chennai.

For Petitioner : Ms.M.Meena

For Respondents - 1 & 2 : No Appearance

Respondent - 3 : Mr.T.Shanmugarajeswaran,
Government Advocate

ORDER

The petitioner has filed the present petition to transfer C.C.No.86 of 2013 on the file of the Judicial Magistrate No.I, Attur to any Metropolitan Magistrate at Chennai. The petitioner is the defacto complainant in C.C.No.86 of 2013 on the file of the learned Judicial Magistrate No.I, Attur. Based on her complaint, All Women Police Station, Attur, Salem had filed a final report in C.C.No.86 of 2013 against the accused for the alleged offences punishable under Sections 498A, 494 & 506(ii) I.P.C.

2. Ms.M.Meena, the learned counsel appearing for the petitioner would contend that the case is now posted for cross

examination of P.W.1 and that P.W.1 is unable to attend the Court as the first accused is threatening the defacto complainant along with some rowdy elements. She would further contend that it may not be conducive to continue the trial before the learned Judicial Magistrate No.I, Attur.

3. Per contra, Mr.T.Shanmugarajeswaran, the learned Government Advocate (Crl.Side) would contend that the Police is ready to give adequate protection to the defacto complainant and this was accepted by the petitioner's counsel.

4. Recording the same, this Criminal Original Petition is disposed of with a direction to the Inspector of Police, All Women Police Station, Attur to give necessary protection to the defacto complainant. The learned Judicial Magistrate No.I, Attur is also directed to dispose of C.C.No.86 of 2013 within a period of three months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True copy//

Sub Assistant Registrar

mrr

To

1.The Judicial Magistrate - I,
Attur.

2.The Inspector of Police,
All Women Police Station,
Attur, Salem District.

3.The Public Prosecutor,
High Court,
Madras.

+1cc to Mr.M.Meena, Advocate SR.No.50649

Crl.O.P.No.8987 of 2014

PVS (CO)
GN(24/08/2018)