

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.17191 & 17192 of 2014
and M.P.Nos.1 & 1 of 2014

M. Muniraj ... Petitioner in both Crl.O.Ps.

Vs.

The State represented by

1. The Inspector of Police,
B-1, Dharmapuri Town Police Station,
Dharmapuri.

2. Govindan ..Respondents in Crl.O.P.No.17191/2004

1. State represented by
The Inspector of Police,
B-1, Dharmapuri Town Police Station,
Dharmapuri.

2.Usharani
3.Govindan
4.Santha
5.Suseela

..Respondents in Crl.O.P.No.17192/2004

COMMON PRAYER: This Criminal Original Petition has been filed under Section 407 (1)(a)(c) of Criminal Procedure Code, to transfer C.C.Nos.272 of 2009 & 77 of 2012 respectively on the file of the learned Judicial Magistrate No.I, Dharmapuri to any other Judicial Magistrate, Court in Krishnagiri, Sessions Division.

For Petitioner in both Crl.O.Ps: Mr.V.Rajamohan

For R1 in both Crl.O.Ps

: Mr.M.Mohamed Riyaz

Additional Public Prosecutor

For R2 in Crl.O.P.No. 17191/18 &

For R2 to R5 in Crl.O.P.No.17192/18 : Mr.A.Sivaji

COMMON ORDER

These petitions have been filed seeking for transfer of proceedings in C.C No.272 of 2009 & 77 of 2012, pending on the file of the learned Judicial Magistrate No.1, Dharmapuri.

2 The learned Additional Public Prosecutor on instructions would submit that the trial is going on in these cases and the proceedings itself will be completed very soon.

3 These transfer petitions were filed on the ground that the petitioner as the defacto complainant is facing life threat before the Court below. Admittedly, these cases are conducted by the prosecutor and the presence of the petitioner will be required only at the time of giving evidence. The Court below shall ensure that the petitioner is provided with sufficient protection at the time of giving evidence before the Court. This direction will be sufficient to safeguard the interest of the petitioner.

4 These Criminal Original Petitions are disposed of with a direction to the Court below to complete the proceedings within a period of three months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rpl

To

1. The Inspector of Police,
B-1, Dharmapuri Town Police Station,
Dharmapuri.
2. The Public Prosecutor,
High Court, Madras.
3. The Judicial Magistrate No.I,
Dharmapuri

+2cc to Mr.M.Mohamed Riyaz, Advocate, S.R.No.83831
+1cc to Mr.A.Sivaji, Advocate, S.R.No.83835

CrI.O.P.Nos.17191 & 17192 of 2014

NM(CO)
CS/09/01/2019