

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2018

C O R A M

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Crl.O.P. No.25665 of 2012

and

M.P. No.1 of 2012

Sheik Naveeth

... Petitioner

Vs.

1.The State Rep by  
The Inspector of Police,  
District Crime Branch,  
Namakkal.

2.Kailasam

3.Veeramalai

4.Shanmugam

... Respondents

PRAYER: Criminal Original Petition filed under Section 407 of Cr.P.C, to transfer S.C. No.73 of 2012 from the file of Principal District and Sessions Court, Namakkal to any Competent Court in Salem District for trial.

For Petitioner : Mr.T.Munirathnam Naidu

For Respondent-1 : Mr.T.Shanmugarajeswaran,  
Government Advocate (Crl.Side)

For Respondents-2 to 4 : Mr.C.D.Johnson

ORDER

The present petition has been filed by the petitioner to transfer S.C. No.73 of 2012 on the file of the Principal District and Sessions Judge, Namakkal to any other competent Court of law.

2. The case of the petitioner is that one of the accused is an Advocate practising in Namakkal and that he is influencing the witnesses. His specific contention is that if the trial is conducted in the Court of Principal Sessions Judge, Namakkal, he would not get justice.

3. Learned Government Advocate (Crl. Side) and the learned counsel appearing for the respondents 2 to 4 did not raise any serious objections for transferring the case to some other

Court. In fact, the learned Government Advocate (Crl.Side) made an endorsement to this effect.

4. Since it is specifically averred in the affidavit that the second respondent/second accused is the Secretary of Bar Association of Namakkal and there is an apprehension that due to the position held by him, he may cause hindrance to the trial thereby disrupting the process. The apprehension expressed is founded and therefore in the interests of justice the case in S.C. No. 73 of 2012 on the file of the Principal District and Sessions Judge, Namakkal Court is transferred to the file of Principal District and Sessions Judge, Karur. The learned Principal District Judge, Karur is directed to dispose of the case within a period of six months from the date of receipt of the entire bundle in S.C. No.73 of 2012 from the Principal District and Sessions Court, Namakkal.

5. With the above observations, this petition is disposed of and consequently, connected miscellaneous petition is also closed.

s/d-  
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

rkp

To

1. The Principal District and Sessions Judge,  
Namakkal.
2. The Principal District and Sessions Judge,  
Karur.
3. The Public Prosecutor,  
Madras High Court,  
Madras.

+1 CC to Mr. T. Munirathnam Naidu, Advocate sr 36235.

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M.P. No.1 of 2012

SP(13/06/2018)