

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2018

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.26747 of 2018

R.Krishnan

...Petitioner

Vs.

The State rep by
The Inspector of Police,
Barur Police Station,
Krishnagiri District.

...Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to transfer C.C.No.101 of 2011 on the file of the Judicial Magistrate Court Pochampalli to the file of the Judicial Magistrate Court Dharmapuri.

For Petitioner : M.G.Jayaseelan

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed seeking for transfer of the case in C.C.No.101 of 2011, pending on the file of the Judicial Magistrate Court, Pochampalli.

2. The petitioner is an accused and has been added as A2 in this case. The petitioner has submitted that he is suffering from Rheumatism associated with instability of nervous system and therefore, he is not able to stand and walk. Therefore, the petitioner seeks to transfer the case to the file of the Judicial Magistrate Court, Dharmapuri.

3. Admittedly in this case five accused persons are facing the trial. The case cannot be transferred for the convenience of one of the accused persons. If the petitioner is facing any Physical Disability, a proper application can be filed before the Court below seeking to dispense with the appearance of the petitioner. Such application will be considered by the Court below in accordance with law. It is also seen that the Calendar Case No.101 is of the year 2011. Therefore, appropriate direction can be given to the Court below to complete the proceedings within a time fixed by this Court.

4. This Criminal Original Petition is disposed of by giving liberty to the petitioner to file an appropriate application to dispense with his appearance. The Court below is also directed to complete the proceedings in C.C.No.101 of 2011, within a period of three months from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of with the above direction.

-s/d-

Assistant Registrar(CCC)

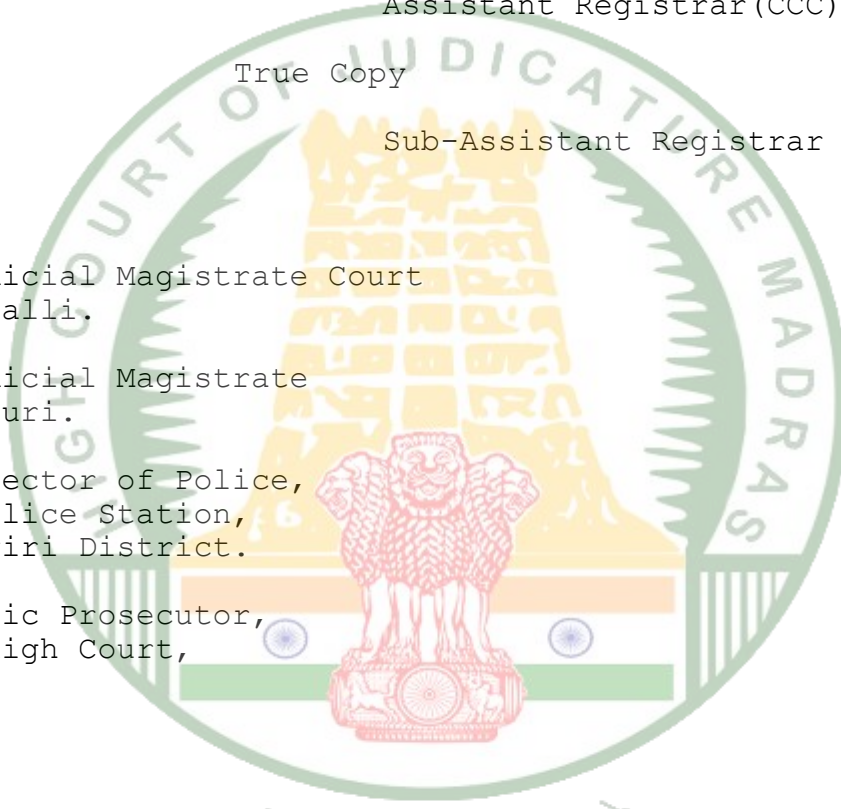
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Sub-Assistant Registrar

kal/sbn

To

1. The Judicial Magistrate Court
Pochampalli.
2. The Judicial Magistrate
Dharmapuri.
3. The Inspector of Police,
Barur Police Station,
Krishnagiri District.
4. The Public Prosecutor,
Madras High Court,
Chennai.



सत्यमेव जयते

CRL.O.P.No.26747 of 2018

MR(CO)

SP(06/12/2018)

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