



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.(MD) No.15880 of 2014
and
M.P(MD).No.1 of 2014

1.Raja Stalin

2.Suresh

3.Rajesh

..Petitioners/ Accused Nos.1 to 3

-Vs-

1.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.

2.Mohanraj ... Respondents
(R2 impleaded as per order of this Court made in
Crl.M.P(MD).No.520 of 2018 in Crl.O.P(MD).No.15880 of 2014,
dated 29.01.2018)

Prayer: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to transfer the case in S.C.No.24 of 2013 pending on the file of Assistant Sessions Court, Kuzhithurai to the file of Assistant Sessions Court, Valliyoor.

For Petitioners :Mr.D.Srinivasaragavan
For Respondents :Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)
for R1
Mr.S.Sivakumar
For R2

ORDER

This petition has been filed by the Accused Nos.1 to 3 to transfer the case in S.C.No.24 of 2013 from the file of the Assistant Session Court, Kuzhithurai to the file of Assistant Sessions Court, Valliyoor.

2.The learned counsel for the petitioners has submitted that the second respondent/defacto complainant is an advocate practising at Kuzhithurai and the Bar Association of Kuzhithurai has passed a resolution that no advocate should appear to defend the petitioners



and hence, the petitioners are not able to defend their case effectively and therefore, the learned counsel for the petitioners requests to transfer the case in S.C.No.24 of 2013 to the Court of Assistant Sessions Court, Valliyoor.

3.The learned Government Advocate has not raised any serious objection. The learned counsel for the second respondent has also not raised any serious objection

4.Admittedly, the second respondent is an advocate practising at Kuzhithurai and first petitioner has stated in his affidavit that the Bar Association of Kuzhithurai has passed a resolution that the advocates should not appear to defend the petitioners herein.

5.Considering the aforesaid facts, the case in S.C.No.24 of 2013 is withdrawn from the file of the Assistant Sessions Court, Kuzhithurai and transferred to the Court of Assistant Sessions, Valliyoor for disposal in accordance with law.

6.With the aforesaid direction, this criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Assistant Sessions Judge,
Kuzhithurai.
- 2.The Assistant Sessions Judge,
Valliyoor
- 3.The Inspector of Police,
Arumanai Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.D.Srinivasa Raghavan, Advocate, SR.No.53427

rmk

RL/6C/2P/KK/SAR2/27/3/2018

Cr1.O.P.(MD) No.15880 of 2014
and

M.P(MD) .No.1 of 2014
07.03.2018