



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.10.2018

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.22095 of 2016

and

Crl.M.P(MD) No. 11418 of 2016

T.Nathan

... Petitioner

Vs.

1. The State rep. by its
The Sub Inspector of Police
Suchindram Police Station
Kanyakumari District

2. R.Ramagopal

...Respondents

Prayer: This Criminal Original Petition filed under Section 407 Cr.P.C. to withdraw the C.C.No.22 of 2016 on the file of the Judicial Magistrate Court No.III Nagercoil and to transfer the same to the Judicial Magistrate Court Vallliyur in Tirunelveli District or any other competent Court.

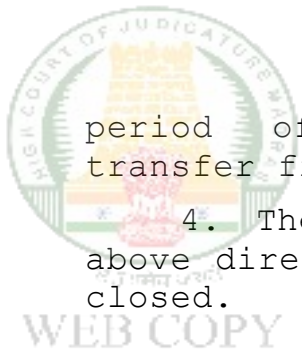
For Petitioner	: Mr.N.S.Ramakrishna Dass
For Respondent	: Mrs.S.Bharathi
No.1	Government Advocate(Crl.Side)
No.2	: Mr.R.Ramgopal

ORDER

This petition is filed seeking to transfer the proceedings in C.C.No.22 of 2010 on the file of the learned Judicial Magistrate No.III, Nagercoil and to transfer to same to the Judicial Magistrate Court, Valliyoor at Tirunelveli District.

2. The petitioner has sought for transfer on the ground that the defacto complainant in this case is an Advocate practising in the District Bar Association (Nagercoil). Therefore a resolution was also passed by the District Bar Association (Nagercoil) to the effect that no advocate should appear on behalf of the petitioner. Therefore the petitioner apprehends that he will not be able to defend his case effectively before the court below.

3. Taking into consideration the facts and circumstances of the case, the proceedings in C.C.No.22 of 2016 on the file of the learned Judicial Magistrate No. III, Nagercoil is withdrawn and is transferred to the file of the learned Judicial Magistrate, Valliyoor. The learned Judicial Magistrate No. III, Nagercoil is directed to take steps immediately to send the case records to the learned Judicial Magistrate, Valliyoor. The learned Judicial Magistrate, Valliyoor shall complete the proceedings within a



period of three months from the date of receipt of records on transfer from the said court.

4. The Criminal Original Petition is disposed of with the above directions. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Judicial Magistrate No. III,
Nagercoil
2. The Judicial Magistrate,
Valliyoor,
Tirunelveli District.
3. The Sub Inspector of Police
Suchindram Police Station
Kanyakumari District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

AAV

VB/PM/SAR3/09.11.2018/2P/5C

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and
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