



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Cr1.R.C(MD)No.506 of 2018

and

Cr1.M.P(MD) No.6966 of 2018

V.M.D.Kathiravan ... Petitioner/Defacto Complainant

Vs.

1. The Inspector of Police
Samayanallur Police Station
Madurai District

... 1st Respondent/1st Respondent

2. Sathasivan

3. K.Senthil Kumar

4.Vikki @ Vignesh

5.Kannan

6.Manikandan

7.N.Balakrishnan

8. K.Muthukumar

9. Anantha Babu ... 2 to 9 Respondents/Accused

PRAYER: Criminal Revision filed under Section 397 of the Code of Criminal Procedure, to call for the records relating to the impugned order passed by the learned Principal District Judge, Madurai in Tr.Cr.M.P.No.446 of 2018 dated 20.06.2018 and set aside the same.

For Petitioner : Mr.S.Siva Ilayaraja

For Respondent : Mr.A.Robinson,
No.1 Government Advocate (Cr1.side).

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
This Criminal Revision case has been filed against the impugned order passed by the learned Principal District Judge, Madurai in Tr.Cr.M.P.No.446 of 2018 dated 20.06.2018



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first respondent.

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3. The revision petitioner, who is the defacto complainant has filed this petition aggrieved by the order passed by the learned Principal District Judge, Madurai to transfer the C.C. No.267 of 2017 from the file of the learned Judicial Magistrate, Vadipatti to the learned Judicial Magistrate No.IV, Madurai, filed by the accused person alleging threat to life while crossing Samayanallur to attend the Court at Vadipatti.

4. The contention of the petitioner/ defacto complainant is that by seeking transfer to a particular court at Madurai, the intention of the accused person is suspected. The learned Principal District Judge, Madurai has not considered the objections raised by the defacto complainant regarding the petition seeking for transfer of the case to a particular Court at Madurai.

5. When this Court asked the counsel for the petitioner whether he is having any objection to transfer the case to any other court at Madurai except Judicial Magistrate No.IV, Madurai, the learned counsel for the petitioner answers he has no objection for such transfer.

6. Since suspicion has arisen in the minds of the defacto complainant by transferring the case to the learned Judicial Magistrate No.IV, Madurai. At the request of the accused persons to dispel their suspicion, this Court entertains this revision petition by modify the order of the learned Principal District Judge, Madurai to the effect that C.C.No.267 of 2017 on the file of the learned Judicial Magistrate, Vadipatti shall be withdrawn and transferred to the file of the learned Judicial Magistrate No.I, Madurai instead of learned Judicial Magistrate No.IV, Madurai as ordered by the learned Principal District Judge, Madurai.

7. Accordingly, this Criminal Revision case is dismissed. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-II)



1. The Principal District Judge
Madurai.
2. The Judicial Magistrate No.IV,
Madurai
3. The Judicial Magistrate No.I
Madurai
4. The Inspector of Police
Samayanallur Police Station
Madurai District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Siva Ilayaraja, Advocate in SR.No.81717

Cr1.R.C(MD)No.506 of 2018

NM/RSK/SAR 2/03.10.18/3P/7C