



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P.[MD].No.17622 of 2018
and
Crl.M.P.(MD)No.7799 of 2018

V.K.Amalraj : Petitioner/Defacto complainant

Vs.

1.The Superintendent of police,
Sivagangai.

2.The Deputy Superintendent of Police,
Crime Branch, Sivagangai. : Respondents/Complainants

3.K.Arun

4.K.John Britto

5.Fathima Mary

6.J.Joshpin Jeo : Respondents/Accused No.1 to 3

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to withdraw and transfer the C.C.No.49 of 2012 pending on the file of the learned Judicial Magistrate-II, Sivagangai to the learned Chief Judicial Magistrate Madurai.

For Petitioner : Mr.S.M.S.Johnny Basha

For R1 and R2 : Ms.S.Bharathi
Government Advocate

O R D E R

This petition has been filed seeking for transferring the case in C.C.No.49 of 2012, on the file of the learned Judicial Magistrate-II, Sivagangai to the learned Chief Judicial Magistrate Madurai.

2.The learned counsel for the petitioner would submit that the transfer is sought for only on the ground that the petitioner as the defacto complainant is facing live threat.



3.The learned Government Advocate would submit that nine witnesses have already been examined and this Court had already directed the Court below to dispose of the case within a period of four months. He would further submit that if the petitioner has any life threat, a complaint can be made to the second respondent and the second respondent will ensure that proper protection is given to the petitioner, pending the proceedings.

4.The submission made by the learned Government Advocate is hereby recorded and if the petitioner apprehends any threat to his life, he may give appropriate petition before the second respondent and the second respondent shall consider the same and if necessary shall also provide police protection to the petitioner.

5.This criminal Original Petition is disposed of with the above directions. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Judicial Magistrate-II,
Sivagangai.
- 2.The Superintendent of police,
Sivagangai.
- 3.The Deputy Superintendent of Police,
Crime Branch, Sivagangai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.M.S.JOHNNY BASHA, Advocate, Sr.No.88153.

Cr1.O.P.[MD].No.17622 of 2018
03.10.2018

KK/RSK/SAR 1/26.10.2018/2P/6C