

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.8328 of 2018
and
Crl.M.P.No.4289 of 2018

Ambika

... Petitioner

.Vs.

1. State by
The Inspector of Police,
All Women Police Station,
Gingee, Villupuram District
2. P.Krishna Rajkumar
3. T.N.Periyasamy
4. P.Saraswathi
5. P.Kamalakaran
6. P.Gokula Krishnan
7. R.Elumalai
8. Seetha
9. Elumalai

... Respondents

(Respondents 2 to 9 impleaded as respondents vide order dated 05.02.2019 in Crl.M.P.No.1893 of 2019 in Crl.O.P.No.8328 of 2018)

PRAYER: Criminal Original Petition filed under Section 407 Cr.P.C. praying to transfer the case in C.C.No.72 of 2012 from the file of the learned Judicial Magistrate, Gingee, Villupuram District to the file of any other Metropolitan Magistrate Court in Chennai or nearby Districts of Chennai.

For Petitioner : Mr.S.Sasikumar

For Respondent 1 : Mr. M.Mohamed Riyaz
Additional Public Prosecutor

For RR2 to 9 : Mr.V.R.Appaswamee

ORDER

This petition has been filed to transfer the case in C.C.No.72 of 2012 from the file of the learned Judicial Magistrate, Gingee, Villupuram District to the file of any other Metropolitan Magistrate Court in Chennai or nearby Districts of Chennai.

2. The learned counsel for the petitioner would submit that the petitioner is unable to appear before the trial court in C.C.No.72 of 2012 due to the continuous threats to her life made by the accused persons. Hence, the petitioner has filed this petition.

3. The learned counsel for respondents 2 to 9 would submit that the trial has already been commenced and the prosecution has examined PW1 to PW3 also. Hence, he opposed to grant the prayer sought for by the petitioner.

4. It is seen that the accused persons are charged with the offences under Sections 498(A), 294(b), 506(ii) and 494 r/w 511 I.P.C, and there are totally eight accused in this case. As per the submission of the learned counsel for the respondents 2 to 9, trial has been commenced and PW1 to PW3 were also examined. Considering the same, it would not be appropriate to transfer the CC.No.72 of 2012 from the file of the learned Judicial Magistrate, Gingee, Villupuram District, however considering that the case is pending from the year 2012, this Court deem fit to direct the trial court to complete the trial in a time bound manner. Accordingly, the learned Judicial Magistrate, Gingee, Villupuram District is directed to complete the trial in C.C.No.72 of 2012 within a period of three months from the date of receipt of a copy of this Order.

5. With the above direction, this Criminal Original Petition is disposed of. Accordingly, the connected miscellaneous petition is closed.

lok/ksa-2

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

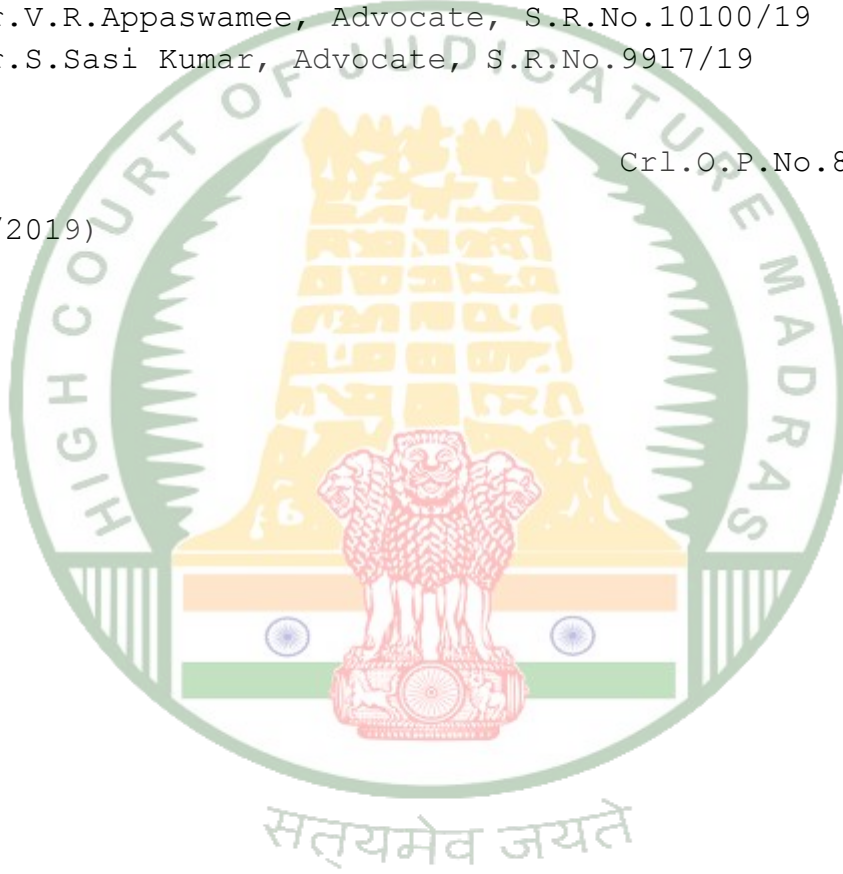
1. The Inspector of Police,
All Women Police Station,
Gingee, Villupuram District
2. The Judicial Magistrate,
Gingee, Villupuram Dist.
3. The Additional Public Prosecutor,
High Court of Madras.

+1cc to Mr.V.R.Appaswamee, Advocate, S.R.No.10100/19

+1cc to Mr.S.Sasi Kumar, Advocate, S.R.No.9917/19

Cr1.O.P.No.8328 of 2018

Kak(12/03/2019)



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