

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.01.2019

CORAM
THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.NO.2272 of 2019

1.Arivazhaghan @ Arivu
2.Senthil
3.Nithiyaraj
4.Ilayaraja,
5.Sarasu @ Saraswathi
6.Anand

..Petitioners/Accused

Vs

1.The State represented by,
The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
(On the file in Cr.No.363 of 2017
of Kallakurichi Police Station.)

2.Roslin Anandhi

..Respondent/Complainant

Prayer:This Criminal Original Petition filed under Section 407 of Cr.P.C, praying to transfer the case of S.C.No.96 of 2018 pending before the learned third Additional District Sessions Court of Kallakurichi against the accused persons to any other Sessions Court of competent jurisdiction.

For Petitioners: Mr.B.Mohan

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

ORDER

This Court does not find any ground to transfer the case, which is pending in S.C.No.96 of 2018 before the III Additional District Sessions Court Kallakurichi. The transfer has been sought for only on the ground that the Court below has permitted prosecution to examine two witnesses, who were not examined by the Investigating Officer during the Course of investigation. The petitioner can always cross-examine these witnesses and this can never be a ground to seek for transfer.

2. This Court does not want to interfere with the proceedings of the Court below and accordingly, this Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings within a period of three months from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka/dua

To

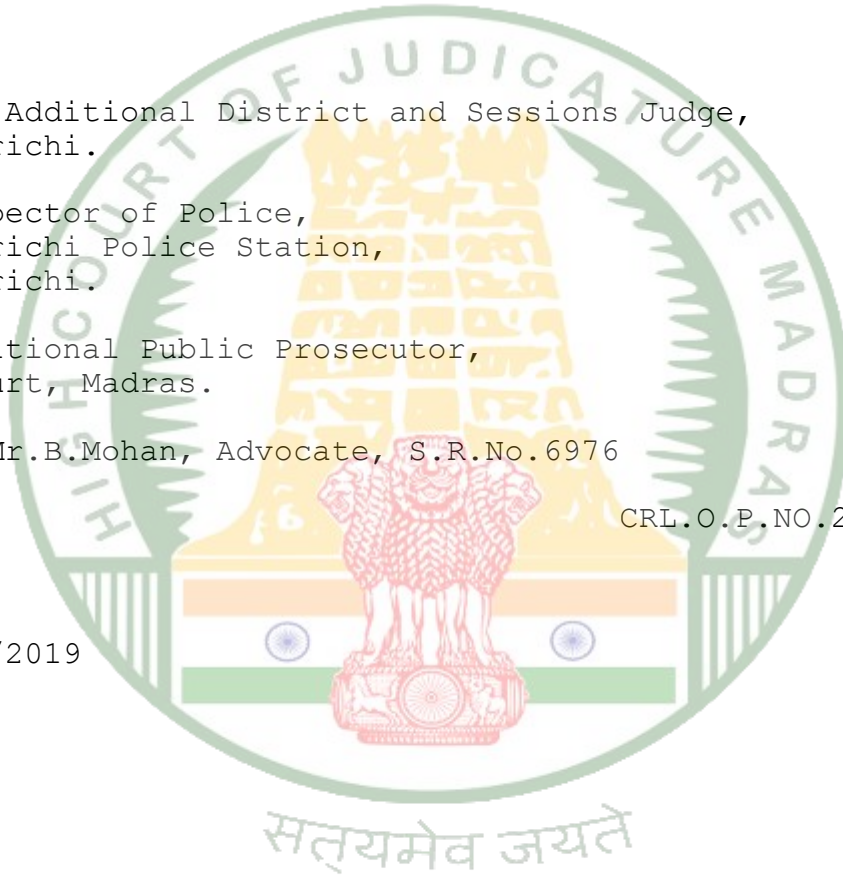
- 1.The III Additional District and Sessions Judge,
Kallakurichi.
- 2.The Inspector of Police,
Kallakurichi Police Station,
Kallakurichi.
- 3.The Additional Public Prosecutor,
High Court, Madras.

+2ccs to Mr.B.Mohan, Advocate, S.R.No.6976

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MP (CO)

rrs 19/02/2019



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