

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.4055 of 2019
and Crl.M.P.NO.2505 of 2019

Brindha Devi ...Petitioner/Defacto Complainant

-Vs-

1.State rep. by
The Inspector of Police,
North Police Station,
Erode.
(Crime No.278 of 2013)

2.R.Radhakrishnan
3.R.Sivasankar
4.N.Arumuga Gounder
5.A.Kasthuri

... Respondents/Accused

Prayer: Criminal Original petition filed under Section 407(c)(iv) of Code of Criminal Procedure, praying to withdraw the case in S.C.No.64 of 2016, on the file of Mahila Court, Erode and to transfer the same to Mahila Court, Tiruppur.

For Petitioner : M/s.D.Ramesh Kumar

For Respondents : Mr.M.Mohamed Riyaz for R1
Mr.M.Guruprasad for R2 to R5

ORDER

This Criminal Original Petition has been filed seeking for transfer of proceedings pending in S.C.No.64 of 2016, before the Mahila Court, Tiruppur.

2. The main ground on which, the present petition has been filed is that the accused persons, are none other than the husband and in-laws of the petitioner and they are threatening the petitioner and forcing her to withdraw the case.

3. The learned Additional Public Prosecutor on instructions submitted that the case is now at the stage of examination of Investigating Officer and a time limit may be fixed for the completion of the case.

4. Heard, the learned counsel appearing on behalf of the respondents 2 to 5. He submitted that no threat has been exerted against the petitioner and the case has been pending from the year 2016 itself.

5. Taking into consideration the stage of the proceedings, this Court is not inclined to transfer the proceedings at this stage. The case is now at the stage of examination of the Investigating Officer. If at all there is any threat to the petitioner from any of the accused persons, the same can be brought to the notice of the Court and the Court below, if convinced that the petitioner is threatened by any of the accused persons, can proceed further to cancel the bail of the concerned accused persons. The Court below shall ensure that a fair trial is conducted and the proceedings completed at the earliest possible time.

6. In the result, this Criminal Original Petition is disposed of with the direction to the Mahila Court, Tiruppur, to complete the proceedings in S.C.No.64 of 2016, within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ub

To

1.The Inspector of Police,
North Police Station,
Erode.

2.The Public Prosecutor,
High Court, Madras.

+lcc to Mr.M.Guruprasad, Advocate SR.No. 60330

+lcc to M/s.D.Ramesh Kumar , Advocate SR.No. 60359

CrI.O.P.No.4055 of 2019

A.SK(05/08/2019)