

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17717 of 2019

and

Crl.M.P.No.8954 of 2019

1.R.Krishnan

2.Venkatesan

3.Raji

.... Petitioners

Vs.

The State represented by
The Inspector of Police,
Barur Police Station,
Krishnagiri District.

... Respondent

PRAYER: Criminal Original petition filed under Section 407 of Code of Criminal Procedure, to transfer C.C.No.101 of 2011 from the file of the Judicial Magistrate Court, Pochampalli to the Judicial Magistrate Court, Dharmapuri or to any other competent Court of equal jurisdiction subordinate to this High Court.

For Petitioners : Mr.M.G.Jayaseelan

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

ORDER

This petition has been filed seeking transfer of the proceedings pending before the Court below.

2.It is seen from records that the proceedings have been pending from the year 2011 onwards. The petitioners are ranked as A2, A4 and A5 in this case.

3.The transfer has been sought for on the ground that the Court below is favouring the complainant and there is a political pressure on the Judicial Magistrate and therefore, the accused persons will not get justice before the Court below, if the trial is conducted in such a biased manner.

4.The learned counsel for the petitioners submitted that

the case is being kept pending for such a long time and the Court below is not completing the trial and disposing of the case, eventhough the offences involved are under Sections 147, 148, 294(b), 323, 324 and 506(ii) IPC.

5.Heard the learned Additional Public Prosecutor appearing for the respondent police.

6.Taking into consideration the facts and circumstances of this case, this Court is not convinced with the grounds raised by the petitioners seeking for transfer of the case to some other Court. Except for the ipsi dixit of the petitioners, there is absolutely no material to show that the Court below is favouring the defacto complainant and the allegations have been made without any basis.

7.This Criminal Original Petition is dismissed and the Court below is directed to complete the proceedings in C.C.No.101 of 2011 within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

pnn

To

The Inspector of Police,
Barur Police Station,
Krishnagiri District.

+2cc to Mr.M.G.Jayaseelan, Advocate, S.R.No. 56775

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and
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VD(CO)
GN(02/08/2019)