



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEECrl.O.P(MD).No.3615 of 2019 and
Crl.M.P(MD).Nos. 2502 and 2087 of 2019

G. Bharathi

.. Petitioners/Defacto Complainant

Vs.1. The Inspector of Police,
Pavoorchathram Police Station,
Thirunelveli City.

2. Anbazhagan
3. S.Arun@Arunraj
4. Paramasivan
5. Arumuga Pandian
6. Mariselvam
7. Rasaiah
8. Manikandan
9. Jeyakanthan
10. Sudalaimadan
11. Sathishkumar
12. Chairman
13. Ramasamy
14. Senthilkumar
15. Peiyasamy
16. Gunasekaran
17. Maria Raja Alphonse

: Respondents

Prayer: This Criminal Original Petition is filed to transfer the case in C.C.No.461 of 2018, on the file of the learned Judicial Magistrate, Tenkasi to any other Court.

For Petitioner : Mr.V.Kannan
For 1st Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl. Side)

For respondents 2 to 17 : Mr.S.Meenakshisundaram
Senior Counsel

for Mr.R.Manickam RR2 to 4,7to 11, 14 & 16

for Mr.S.Muniyandi RR5,6,12,13 & 15

for Mr.Shema Danial, R17

**ORDER**

The present petition is filed for transfer of trial of C.C.No.461 of 2018 from the file of the Judicial Magistrate Court, Tenkasi to any other Court.

2. In that case, the respondents 2 to 16 are facing trial for charges under Sections 147, 294(b), 342, 448, 354, 506(2) IPC and Section 4 of TN Prohibition of Harassment of Woman Act, 2002 and Section 67 A of the Information Technology Act, 2000

3. Heard Mr. V. Kannan, learned Counsel appearing for the petitioners, Mr.A.P.G.Ohm Chairma Prabhu, learned Government Advocate(Crl. Side) appearing for the first respondent, Mr. S.Meenakshi Sundaram, learned Senior Counsel appearing for the respondents 2 to 4 and 7 to 11, 14 & 16 Mr.S.Muniyandi, learned counsel appearing for respondents 5, 6, 12, 13 and 15 and Mr.Shema Daniel, learned counsel appearing for 17th respondent.

4. Mr.S. Meenakshi Sundaram, learned Senior Counsel appearing for the private respondents / accused in the aforesaid case made a statement that three witnesses have already been examined, based on a direction given by this Court in Crl.O.P(MD). No.3753 of 2019. As two of the accused persons are Advocates the petitioners now wants yet transfer of the case to any other Court. He further submitted that he has no objection to transfer the case, except that there may be a direction to complete the trial within a time stipulated by this Court. The said statement is recorded.

5. This Court, therefore, transfers the case in C.C.No.461 of 2018 pending on the file of the Judicial Magistrate Court, Tenkasi and the same shall stand transferred to the file of the Judicial Magistrate Court, Ambasamuthiram. The learned Judicial Magistrate, Tenkasi, is directed to forward the material papers to the transferee Court within a period of three days from the date of receipt of a copy of this order and both the complainant as well as the accused are directed to appear before the learned Judicial Magistrate, Ambasamuthiram on 03.04.2019 and thereafter, the trial Court shall proceed with the trial where it was left by the transferor Court and complete the same within a period of two months.

6. It is submitted that the case is posted before the learned Judicial Magistrate, Tenkasi on 25.03.2019. The learned Judicial Magistrate, Tenkasi is also required to intimate all the accused to appear before the learned Judicial Magistrate, Ambasamuthiram, on 03.04.2019.

7. Accordingly, this Criminal Original Petition is



disposed of. Consequently, connected Miscellaneous Petitions are closed.

Sd/
Assistant Registrar (CO)

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/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate, Tenkasi.
 2. The Judicial Magistrate, Ambasamudram.
 3. The Inspector of Police,
Pavoorchathram Police Station,
Thirunelveli City.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +3 CC to M/s.M.SHEMA DANIEL, Advocate (SR-55533[F] dated 21/03/2019)

TRP

TE/SAR-2 : 22/03/2019 : 3P/8C

Cr1.O.P(MD).No.3615 of 2019 and
Cr1.M.P(MD).Nos. 2502 and 2087 of 2019
20.03.2019