



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) Nos. 4802 to 4812 of 2019

and Crl.M.P.(MD) Nos. 2964 to 2974 of 2019

Napolean

... Petitioner/ Accused in all cases

Vs

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.733/2010)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4802/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.234/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4803/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.469/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4804/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1023/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4805/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1028/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4806/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1056/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4807/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1057/2011)

... Respondent/Complainant/complainant
in Crl OP (MD) No.4808/2019



The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1088/2011) ... Respondent/Complainant/complainant
in Crl OP (MD)No.4809/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.1089/2011) ... Respondent/Complainant/complainant
in Crl OP (MD)No.4810/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.83/2012) ... Respondent/Complainant/complainant
in Crl OP (MD)No.4811/2019

The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

(in Crime No.84/2012) ... Respondent/Complainant/complainant
in Crl OP (MD)No.4812/2019

COMMON PRAYER IN CRL OP(MD)Nos.4802 to 4812 of 2019: This Criminal Original Petition filed under Section 482 of Cr.P.C, to withdraw the case in C.C. No. 285, 284, 278, 279, 280, 281, 277, 276, 282, 345 and 283 of 2017 on the file of the learned Judicial Magistrate, Srivaikundam and transfer the same to any other competent Magistrate, at Tirunelveli District.

For Petitioner in all cases : Mr.S. Packaraj

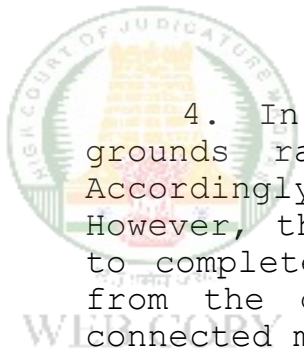
For Respondent in all cases : Mr.K.Suyambulinga bharathi,
G.A. (Crl. Side)

C O M M O N O R D E R

These Criminal Original Petitions have been filed to withdraw the case in C.C.Nos. 276 to 285 of 2017 and 345 of 2017 on the file of the learned Judicial Magistrate, Srivaikundam and transfer the same to any other competent Magistrate, at Tirunelveli District.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (crl. Side) appearing for the first respondent police.

3. It is seen from the records that the petitioner has involved more than 11-cases for the offences under Sections 454, 457 & 380 of IPC. In some of the cases already trial commenced and posted for evidence of Investigating Officer. At this stage, transfer of cases would affect the entire trial proceedings. Further, the petitioner is a habitual offender involved in same kind of crimes and as such it is very difficult to complete the trial, if the cases are transferred to other Court.



4. In view of the above, this Court is not satisfied the grounds raised by the petitioner to transfer all the cases. Accordingly, these Criminal Original Petitions are dismissed. However, the learned Judicial Magistrate, Srivaikundam is directed to complete the trial proceedings, within a period of Six Months, from the date of receipt of copy of the order. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

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/ /2020
Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate,
Srivaikundam
2. The Sub Inspector of Police,
Tuticorin South Police Station,
Tuticorin.

COPY TO:

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Common Order made in
CRL.O.P (MD) Nos. 4802
to 4812 of 2019
28.11.2019

SMA/28/01/2020/3P/4C