



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.(MD) No.12549 of 2019

Elangovan ...Petitioner/Sole Accused

Vs.

1. The Deputy Superintendent of Police
Karur Town, Karur District

2. The Inspector of Police
All Women Police Station
Karur, Karur District
(Cr.No.1 of 2019)

... Respondents 1 & 2/
Complainants

3. Deepa ...3rd Respondent/Defacto
Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer the case in S.C.No. 44 of 2019 on the file of the District and Sessions Court, Karur to any other District Court.

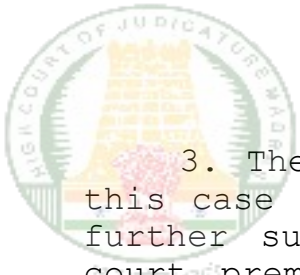
For Petitioner : Mr.M.Karunanithi

For Respondents : Mr.K.Suyambulinga Bharathi
No.1 & 2 Government Advocate(Crl.Side)

ORDER

This petition has been filed seeking direction to transfer the case in S.C.No. 44 of 2019 on the file of the District and Sessions Court, Karur to any other District Court.

2. The learned counsel for the petitioner would submit that the petitioner is working as a HOD of the Economics Department in Government Arts College, Karur. He was charge sheeted for the offences under Sections 354(A), 506(i) of IPC and Section 4 of TNPHW Act r/w.3(1)(w)(i) and (ii) of SC/ST(POA) Act. All the students of the college, students federation and women organisation staged various protests in front of the college and in public places at Karur. He would further submit that he came to know that some of the students federation have decided to gather inside the Court during hearing of the case. Therefore he could not get fair and impartial enquiry in this case. Hence, he sought for transfer of the entire proceedings to some other court in the same District.



3. The learned Government Advocate(Crl.side) would submit that this case is posted for framing of charges on 25.09.2019. He would further submit that no such untoward incident took place in the court premises and even according to the petitioner it is only presumption. Therefore he opposed to transfer the case from District and Sessions Court, Karur to any other District Court.

4. Heard Mr. M.Karunanithi learned counsel for the petitioner and Mr.K.Suyambulinga Bharathi learned Government Advocate(Crl.Side) for the respondents appearing for the State.

5. The petitioner has been charge sheeted for the offences under Sections 354(A), 506(i) of IPC and Section 4 of TNPHW Act r/w.3(1)(w)(i) and (ii) of SC/ST(POA) Act. Admittedly the petitioner is working as a HOD of the Economics Department in Government Arts College, Karur. The respondent police charge sheeted as against the petitioner for the offences under Sections 354(A), 506(i) of IPC and Section 4 of TNPHW Act r/w.3(1)(w)(i) and (ii) of SC/ST(POA) Act and had been taken cognizance in S.C. No. 44 of 2019 on the file of the District and Sessions Court, Karur and the case has been posted for framing of charges on 25.09.2019.

6. The reasons stated by the petitioner filed in support of the present petition is only presumption. Since the case is posted on 25.09.2019 for framing of charges agitation and protest cannot be held at this stage. The learned Government Advocate (Crl.Side) also submitted that till today there was no untoward incident happened in the court premises and it is only presumption.

7. In the result, this petition is devoid of merits and it is dismissed. However the trial Court is directed to complete the trail within a period of six months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CO)

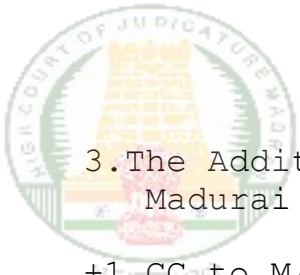
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Sub Assistant Registrar(CS)

To

1. The Deputy Superintendent of Police
Karur Town, Karur District

2. The Inspector of Police
All Women Police Station
Karur, Karur District



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

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-85934[F] dated
09/09/2019)

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Cr1.O.P.(MD) No.12549 of 2019
09.09.2019

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