



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P. (MD) .No.13014 of 2019

and

CRL.M.P (MD) No.8007 of 2019

Pandian

...Petitioner

Vs.

The Inspector of Police,
Annavaasal Police Station,
Pudukottai District.
Crime No.84 of 2018.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the record pertaining to the order dated 30.07.2019 passed in Crl.M.P.No.365 of 2019 in Spl.S.C.No.16 of 2018 on the file of the Sessions Judge, Mahila Court, Pudukottai and set aside the same.

For Petitioner : Mr.A.K.Hemaraaj
For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

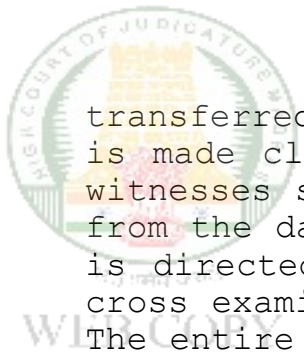
ORDER

This Criminal Original Petition has been filed against the order dated 30.07.2019 passed in Crl.M.P.No.365 of 2019 in Spl.S.C.No.16 of 2018 on the file of the Sessions Judge, Mahila Court, Pudukottai.

2.The learned counsel for the petitioner made allegations as against the proceeding officer for the reason that once the matter has been posted for arguments, after proceedings under Section 313 of Cr.P.C, on suo motu the proceeding officer can take the matter fresh and direct the public prosecutor to file a petition to recall the prosecution witnesses. The said petition was allowed and now the prosecution examined the witnesses. He would suffice his arguments, if the trial is conducted by any other district Court, he is ready and willing to proceed with the trial.

3.Without going into the allegations or merits of the case, this Court deems fit, to transfer the trial to other District Court.

4.Considering the facts and circumstances of the case, in Spl.S.C.No.16 of 2018 on the file of the learned Sessions Judge, Mahila Court, Pudukkottai is hereby withdrawn and the same is



transferred to the learned Principle District Judge, Pudukottai. It is made clear that the witness/P.W.1 to 4 and all the prosecution witnesses shall be produced before the trial Court within two weeks from the date of receipt of a copy of this order and the petitioner is directed to cross examine the prosecution witnesses 1 to 4 and cross examine the other witnesses on the date of Chief Examination. The entire trial shall be completed within a period of three months thereafter. The learned Special Public Prosecutor appointed by the trial Court shall proceed with the trial.

5.In view of the above, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

das

To

1.The Sessions Judge, Mahila Court,
Pudukottai.

2.The Principle District Judge, Pudukottai.

3.The Inspector of Police,
Annavaasal Police Station,
Pudukottai District.

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

+1CC TO MR.A.K.HEMARAJ, Advocate Sr. No. 93334

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KG (CO)

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