



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **N.ANAND VENKATESH**

CrI.O.P.[MD].No.13244 of 2017

and

CrI.M.P.(MD)No.8965 of 2017

Pattathi

: Petitioner

Vs.

The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(Crime No.96 of 2013)

: Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to transfer the case in S.C.No.298 of 2014 on the file of the III Additional Sessions Court, Tirunelveli to any other District.

For Petitioner	: Mr.S.Sundarapandian
For Respondent	: Mr.S.Chandrasekar, Additional Public Prosecutor

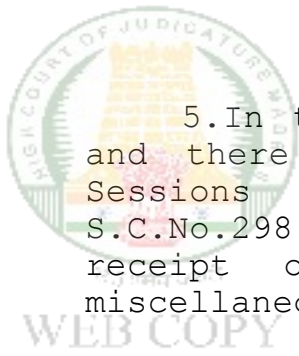
O R D E R

The Criminal Original Petition has been filed seeking transfer of proceedings in S.C.No.298 of 2014, pending on the file of the III Additional Sessions Court, Tirunelveli.

2.The petitioner is shown as A9 in the final report filed by the respondent police. In the final report there are totally nine accused persons and the same has been filed for the offence under Sections 147, 148, 341, 342, 302, 506(ii) and 109 IPC. The only ground that has been raised in the transfer petition is that there is a life threat for the petitioners from the hands of the defacto complainant and his family members.

3.There is absolutely no material to substantiate this allegation and transfer petition cannot be allowed on a mere *ipse dixit* of the petitioner, without there being any supporting materials.

4.That apart the case is not only filed against the petitioner, there are eight other accused persons in this case. Therefore, their convenience must also be taken into consideration before ordering any transfer. This Court does not find any ground to transfer the petition.



5.In the result, this Criminal Original Petition is dismissed and there shall be a direction to the learned III Additional Sessions Judge, Tirunelveli, to complete the proceedings in S.C.No.298 of 2014, within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

das

To

- 1.The III Additional Sessions Judge, Tirunelveli.
- 2.The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
- 3.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P. [MD] .No.13244 of 2017
and**

**Crl.M.P. (MD)No.8965 of 2017
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