

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 13.02.2020
CORAM:
THE HONOURABLE MR. JUSTICE P.VELMURUGAN
Crl.O.P.No.22317 of 2014
and
M.P.No.1 of 2014

Anbu,
S/o.Natarajan.

...Petitioner

-Vs-

1.State rep. by
Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

2.Ashok Kumar,
S/o.Govaran.

... Respondents

(Impleaded the 2nd respondent as per
order of this Hon'ble Court dated
03.09.2014 in M.P.No.2 of 2014)

Prayer: Criminal Original petition filed under Section 482 of
Code of Criminal Procedure, to transfer the case in
S.T.C.No.3046 of 2014 pending on the file of the learned
District Munsif cum Judicial Magistrate, Pochampalli,
Krishnagiri District to the learned Judicial Magistrate No.II,
Thiruppathur, Vellore District.

For Petitioner : Mr.S.Senthilvel

For Respondents : Mr.R.Ravichandran for R1
Government Advocate (Crl.side).

Ms.A.M.Amutha Ganesh for R2.

O R D E R

This petition has been filed by the petitioner/accused to
transfer the case in S.T.C.No.3046 of 2014, pending on the file
of the learned District Munsif cum Judicial Magistrate,
Pochampalli, Krishnagiri District, to the learned Judicial
Magistrate No.II, Thiruppathur, Vellore District.

2.The learned counsel for the petitioner would submit that the second respondent/defacto complainant is a practicing Advocate, where the case in S.T.C.No.3046 of 2014 is pending. He further submitted that the defacto complainant is a highly influential person and influences the Magistrate and also threatens the petitioner with dire consequences. The petitioner has made a complaint before the respondent Police in this regard, however the respondent Police refused to register a complaint against the second respondent and also has not taken any action. Therefore, the petitioner has filed the present petition.

3.The learned Government Advocate (Crl.side) appearing for the first respondent Police and the learned counsel for the second respondent/defacto complainant has no objection to transfer the case to any other District.

4.Heard the learned counsels and perused the records.

5.Considering the facts and circumstances of the case, the case in S.T.C.No.3046 of 2014 is hereby withdrawn from the file of the learned District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District and transfer the same to the learned Judicial Magistrate No.I, Tiruvannamalai. The learned District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District, is hereby directed to transfer the entire papers in S.T.C.No.3046 of 2014 to the learned Judicial Magistrate No.I, Tiruvannamalai, forthwith. The parties are directed to appear before the learned Judicial Magistrate No.I, Tiruvnnamalai on 27.02.2020.

6.Since the case in S.T.C.No.3046 of 2014 is pending from the year 2014 onwards, the learned Judicial Magistrate No.I, Tiruvannamalai, is directed to dispose of the case in accordance with law, within a period of four months from the date of receipt of the entire papers from the District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District.

7.With the above directions, this Criminal Original Petition is disposed of. Connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

rm

To:

1. The District Munsif cum Judicial Magistrate,
Pochampalli,
Krishnagiri District.
2. The Judicial Magistrate No.I,
Tiruvannamalai.
3. The Public Prosecutor,
High Court, Madras.
4. The Inspector of Police,
Pochampalli Police Station,
Krishnagiri District.

+1cc to Mr.S.Senthivel, Advocate, SR.No.11960.

Crl.O.P.No.22317 of 2014

AP(CO)
CSR:17.02.2020