



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No.4839 of 2020

and

Crl.M.P. (MD)No.2779 of 2020

Balakrishnan

... Petitioner/Defacto Complainant

-vs-

1.State represented by
The Inspector of Police,
West Police Station,
Thanjavur Town and District.
(in Crime No.309 of 2015). ... Respondent/Complainant

2.Durairaj

3.Kanthamurugan ... Respondents/Accused No.1 & 2

PRAYER: Petition filed under Section 407 of the Criminal Procedure Code to transfer the proceedings in C.C.No.14 of 2018 pending on the file of the Judicial Magistrate No.I, Thanjavur to an other Court nearby district.

For Petitioner : Mr.G.Karnan

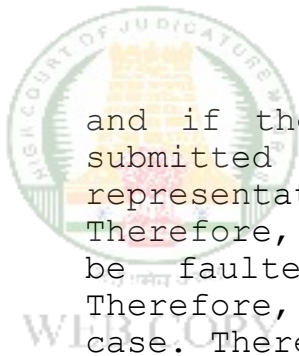
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

O R D E R

The petitioner seeks transfer of case from the Court of the learned Judicial Magistrate No.I, Thanjavur to some other Court.

2.The petitioner's contention is that he had given a representation addressed to the Registrar of High Court, regarding non-examination of two witnesses namely Krishnamoorthy and Senthilkumar. Aggrieved by the same, the Presiding Officer is said to have taken an adverse stand against the petitioner herein.

3.I wanted to know that if the said Krishnamoorhty and Senthilkumar are actually figuring as witnesses in the final report
<https://hcservices.ecourts.gov.in/hcservices/>



and if they have deliberately not been examined. It is fairly submitted that the persons mentioned in the petitioner's representation are not figuring as prosecution witnesses. Therefore, the learned Judicial Magistrate No.I, Thanjavur, cannot be faulted for non-examination of the said two witnesses. Therefore, I do not find any ground to direct the transfer of this case. There is no merit in this Criminal Original Petition.

4.Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

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/ /2020

Sub Assistant Registrar(CS)

pnn

To

1.The Judicial Magistrate No.I, Thanjavur.

2.The Inspector of Police, West Police Station,
Thanjavur Town and District

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

+1 CC to Mr.G.KARNAN, Advocate (SR-12702[F] dated 20/03/2020)

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VB(03.06.2020) 2P 5C