



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P. (MD)No.11504 of 2020

and

Crl.M.P(MD)No.5267 of 2020

WEB COPY

A.Chellaiah

... Petitioner

Vs.

1.The Superintendent of Police,  
Kottar, Nagarkoil,  
Kanyakumari District.

2.The Deputy Superintendent of Police,  
Nagerkoil, Kanyakumari District.

3.The Inspector of Police,  
All Women Police Station,  
Nagarkoil, Kanyakumari District.

4.Irvin Melto

5.Stella

6.Austo King

... Respondents

**Prayer:** Criminal Original petition is filed under Section 407 of Cr.P.C, to withdraw the case in S.C.No.9 of 2019 pending on the file of the II Additional District Judge, Tirunelveli and to transfer the same to the file of any other competent Court in Pudukotttai or Tanjore District for the purpose of all further proceedings.

For Petitioner : Mr.C.M.Arumugam

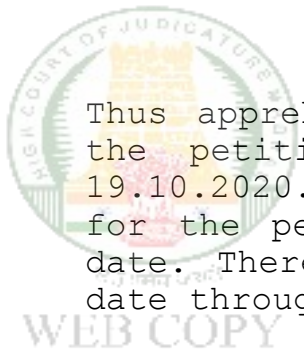
For R1 to R3 : Mr.V.Neelakandan,  
Additional Public Prosecutor.

### **O R D E R**

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents.

2.The petitioner is the father of the defacto complainant, in S.C.No.9 of 2019 pending on the file of the II Additional District Judge, Tirunelveli. The petitioner's daughter is presently working in Dubai. The petitioner wants transfer of the case from the present Court.

3. I am afraid that the said request cannot be accepted. The petitioner states that he has facing life threat in Tirunelveli.



Thus apprehension can be allayed by granting police protection to the petitioner herein. The next hearing date is said to be 19.10.2020. The petitioner's counsel states that it is not possible for the petitioner to appear before the Court below on the said date. Therefore, the Court below has to intimate the next hearing date through the third respondent.

4.The learned counsel for the petitioner states that they would contact the third respondent herein and get to know the next hearing date.

5.On the said hearing date, the Superintendent of Police, Pudukottai District is directed to depute an armed constable to accompany the petitioner and his wife from Pudukottai to Tirunelveli. The petitioner's counsel states that they will bear the cost of affording such protection. They would also go from Pudukottai to Tirunelveli only in a four wheeler and therefore, the armed escort will not be put inconvenience or risk.

6.The petitioner's counsel further states that P.W.1 to P.W.7 will travel down to Tirunelveli and attend the Court hearing and place as witness on the same day.

7.With the direction to the Superintendent of Police, Pudukottai to provide police protection to P.W.1 to P.W.7, this Criminal Original Petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P & A)

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/ /2020

Sub Assistant Registrar(CS)

das

**Note :** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**To:**

1.The Superintendent of Police,  
Kottar, Nagarkoil,  
Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Superintendent of Police,  
Pudukkottai.

3.The Deputy Superintendent of Police,  
Nagerkoil, Kanyakumari District.

4.The Inspector of Police,  
All Women Police Station,  
Nagarkoil, Kanyakumari District.

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

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KK(02.11.2020) 3P 6C