



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

Crl.O.P. (MD) No.14720 of 2021

Ponmuthuramalingam

... Petitioner/Sole Accused

Vs.

1.State rep by,
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(Crime No. 446 of 2015)

... Respondent/Complainant

2.Ulagasundaram

... Respondent/Defacto Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records from the learned Additional District Munsif cum Judicial Magistrate Court, Manamadurai in P.R.C.No.75 of 2015 and TRASFER the same to any other competent Court, preferably before any one of the Learned Judicial Magistrate Courts in Ramanathapuram District.

For Petitioner	: Mr.M.Solaisamy
For R1	: Mr.R.M.S.Sethuraman
	Additional Public Prosecutor

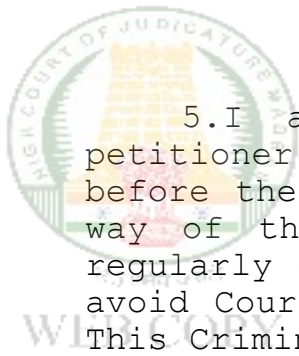
ORDER

This Criminal Original Petition is filed seeking to transfer of committal proceedings in P.R.C.No.75 of 2015 Additional District Munsif cum Judicial Magistrate Court, Manamadurai.

2.The petitioner is the sole accused in the above said P.R.C. Proceedings, which is registered for the offence punishable under Section 302 I.P.C.

3.The learned counsel for the petitioner would submit that this petitioner is facing the above said charge, on the allegation that he has murdered a co-Advocate, practicing in Manamadurai Court. The parents of the deceased are regularly threatening the petitioner and he is not in a position to appear before the committal Court. So, on that ground, this petition came to be filed.

4.The learned Additional Public Prosecutor would submit that because of the non-appearance of the petitioner, warrant was issued on 29.05.2019 itself and he did not surrender before the Court. Now, only to avoid the above said proceedings, this petition came to be filed.



5.I am unable to convince with the ground made by the petitioner. Suppressing the fact that since he had not appeared before the Court, warrant was issued, he approached this Court by way of this petition. Being a practicing Advocate, he has to regularly attend the committal Court and it may not be proper, to avoid Court proceedings. Hence, I find no merit in this petition. This Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Additional District Munsif cum Judicial Magistrate,
Manamadurai.
- 2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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NSN(CO)/RS (25.10.2021) 2P 4C