



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 19.05.2022

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

WEB COPY

Crl.O.P.(MD)No.9585 of 2022

and

Crl.M.P.(MD)No.6190 of 2022

G.Kanagarani

... Petitioner

Vs.

1.The Inspector of Police,
District Crime Branch,
Karur.

2.VIjayalakshmi

3.Rajaguru

4.Gopalraj

5.S.Anbarasan

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to transfer the case in C.C.No.298 of 2017 from the file of the learned Judicial Magistrate No.1, Karur to any of the Magistrate under Thanjavur District.

For Petitioner

: Mr.R.Rajesh

For Respondents

: Mr.B.Nambi Selvan,

Additional Public Prosecutor for R1

ORDER

This petition has been filed to transfer the case in C.C.No.298 of 2017 from the file of the learned Judicial Magistrate No.1, Karur to any of the Magistrate under Thanjavur District.

2.The petitioner is residing at Thiruvarur District, who is a senior citizen aged about 72 years. The petitioner was examined as P.W.1 on 08.12.2021 and the case was adjourned to 30.03.2022 for cross examination of the petitioner/P.W.1. On the said date, only the fourth accused cross examined the petitioner and other accused did not cross examine him. When the petitioner was standing in the bus stop, four unknown persons assaulted him and threatened him that any witness should not come to depose evidence. While being so, the petitioner was summoned to appear on 23.05.2022 for cross examination of other accused. Hence, the petitioner filed seeking transfer.



3.The learned Additional Public Prosecutor submitted that all the witnesses were examined in chief and they were also cross examined. The case is posted for the examination of the investigation officer. Hence, transfer of investigation in this case does not arise and he pressed for dismissal of this petition.

4.It is seen that the petitioner is a senior citizen. The trial has become part heard and the case is posted for examination of the investigation officer. Considering the above facts, the learned Judicial Magistrate No.I, Karur is directed to complete the trial and dispose of the case within a period of eight weeks from the date of receipt of a copy of this order. If the witnesses are cross examined, they shall be cross examined without causing any hindrance to those who appear for cross examination.

5.This Criminal Original Petition is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar
(CS.III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 Judicial Magistrate No.I, Karur.

2.The Inspector of Police,
District Crime Branch, Karur.

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

Copy To

The Registrar (Judicial)
Madurai Bench of Madras High Court, Madurai.

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19.05.2022