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Crl.O.P.No.7352 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.7352 of 2023

Shoba represented by power agent,
C.M.Thomas Velankanni,
No.207, Jegajivanram Salai,
Arakkonam – 631 001.
Ranipettai District.

...

Petitioner

VS

1.The State represented by its
Inspector of Police,
All Women Police Station,
Thudiyalur,
Coimbatore District.

2.Gomethagavel

3.Chinnasamy

4.Banumathi

5.Komethagi

6.Mercy

7.Subramani



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8.Minarva

9.Vijayalakshmi

10.Kandasamy

11.Nirmala Devi

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C, to withdraw the Case in C.C.No.27 of 2014 pending on the file of the Additional Mahila court at Coimbatore and transfer the Same to Mahila Court (Ranipet Jurisdiction) at Vellore Town and pass such further or other orders as this Court.

For Petitioner ... Mr.K.R.Pughazhendhi

For R-1 ... Mr.S.Santhosh
Government Advocate (crl.side)

For R-5 ... Mr.Thiyagarajan

ORDER

This Criminal Original Petition has been filed to withdraw the Case in C.C.No.27 of 2014 pending on the file of the Additional Mahila court at Coimbatore and transfer the Same to Mahila Court (Ranipet Jurisdiction) at Vellore Town and pass such further or other orders as this Court.

2. It is the submission of learned counsel for the petitioner that, C.C.No.27 of 2014 is pending on the file of the Additional Mahila Court,



Coimbatore. He further submitted that petitioner is the father of the defacto complainant and he is a witness in C.C.No.27 of 2014. Petitioner and his daughter apprehends threat to their life, if they visit Additional Mahila Court, Coimbatore to face the trial. It is his further submission that accused in this case are rowdy elements. Therefore, petitioner filed this petition to withdraw the Case in C.C.No.27 of 2014 pending on the file of the Additional Mahila court at Coimbatore and transfer the Same to Mahila Court (Ranipet Jurisdiction) at Vellore Town.

3. Learned Government Advocate (Criminal side) submitted that, there are 15 witnesses in this case and one of them have been examined as PW1.

4. Mr.Thiyagarajan appearing for 5th respondent submitted that, there is already a direction by this Court in H.C.P.No.2134 of 2022 to the learned Judicial Magistrate, Additional Mahila Court, Coimbatore to dispose the case in C.C.No.27 of 2014 within a period of six months from the date of receipt of a copy of the Order i.e., from 15.12.2022.



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WEB COPY 5. Considered the submissions and perused the records.

6. In the light of the submissions made by the learned counsel for the parties, this Court is of the view that, mere apprehension without any substance in support of the accusation of threat to their life at the hands of the accused, cannot be considered as a ground for transfer. That apart, the Hon'ble Division Bench of this Court directed the learned Judicial Magistrate, Additional Mahila Court, Coimbatore to dispose the case within a period of six months from 15.12.2022. There is no merits in this petition. Therefore, this Court is not inclined to transfer the case in C.C.No.27 of 2014.

Accordingly, this Criminal Original Petition is dismissed.

03.04.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non speaking order
gd



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To

- 1.The Additional Mahila court,
Coimbatore.
- 2.The Inspector of Police,
All Women Police Station,
Thudiyalur,
Coimbatore District.
- 3.The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

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